

**AGENDA
&
MINUTES**

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PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, January 4, 2012 at 7:00 p.m.
At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)


1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Commission Members, if any
5. Consent Agenda
 - Tonight's Agenda
 - Minutes of December 7, 2011 Planning Commission Meeting,
6. Announcements
7. Discussion and possible recommendation for approval of the Grapevine Final Development Plan
8. Discussion on the Mixed-Use Zone (Chapter 23 of Zoning Code)
9. Discussion on the Sign Ordinance

10. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted January 3, 2011. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leadstown.org, and Spectrum Newspaper



Fran Rex, Clerk / Recorder

TOWN OF LEEDS PLANNING COMMISSION MEETING

January 4, 2012

MINUTES

1. **Call to Order** – by Chair Doug Erdmann at 7:00 p.m.
2. **Pledge of Allegiance** – was led by Alex Beal
3. **Roll Call** - Present was Chair Doug Erdmann, and Commissioners Ray Beal, Alex Beal and Bill Lytle. Also in attendance were Mayor Alan Roberts, Sunrise Engineer Russ Funk, Clerk/Recorder Francene Rex, and trainee Sharon Martin. Leeds Contract Planner Bob Nicholson was excused.
4. **Declaration of Abstentions and Conflicts by Commission Members** – None
5. A **Motion** was made by Bill Lytle with a **second** by Chair Doug Erdmann to **Accept the Consent Agenda including Planning Commission Meeting Minutes of December 7, 2011**. An **Aye** vote was **Unanimous**.
6. **Announcements** – Sharon Martin will be sworn in on January 11, 2012 to be the new Clerk/Recorder.
7. **Discussion and possible recommendation for approval of the Grapevine Final Development Plan** – It was reiterated that Leeds Contract Planner Bob Nicholson was excused due to having surgery, and then time was given to Grapevine Wash (GVW) Representative Drake Howell to address the topic. Mr. Howell recapped that Grapevine Wash had initiated an ordinance amendment to allow the Town to review street design standards modifications to the Leeds Standard Specifications for Design and Construction within a mixed-use zone. He said the Town Council had “tweaked” the verbiage the Planning Commission had recommended, but that the ordinance amendment was passed on December 14, 2011. Clerk/Recorder Fran Rex attested the ordinance amendment was passed and noted the verbiage was stated in tonight’s staff report. Mr. Howell said he would like to address the lot sizes, the street design and the list of conditions which were stated in the following documents: Planner Bob Nicholson’s October 5, 2011 staff report; and the professional reviews from Sunrise Engineering, Washington County Water Conservancy District (WCWCD), Leeds Area Special Service District (LASSD), and the Department of Environmental Quality (DEQ). Attached to the minutes are Mr. Howell’s responses entitled “Grapevine Development Response to Staff-Recommended Conditions & Affected Entity Letters, January 2012.” The comments from the Planning Commission and Sunrise Engineering regarding the responses are listed below as follows:
Bob Nicholson October 5, 2011 Staff Report Conditions:
 - 1) **Proposed street design** – Mr. Howell referred to the Sunrise Engineering letter dated January 3, 2012 to address these concerns

Sunrise Engineering Letter dated January 3, 2012

- A. **Design Speed** – Commissioner Ray Beal stated his concern regarding having a speed limit of 15 mph. He thought it would be unenforceable, to which Drake Howell answered the narrow street widths and on-street parking naturally keep people from going too fast. He added the streets would not necessarily be posted at 15 mph, but that drivers would be inclined to drive that speed. Beal added that if streets are designed for 15 mph, it makes in unsafe to drive anything faster. Engineer Russ Funk agreed and noted that current neighborhoods were designed with a “Conventional Neighborhood Style,” and that “Traditional Neighborhood Style” with a walkable design was a different style. It was meant to keep people in the area. He stated he was concerned how the Grapevine Development would be able to sustain a “walkable” community with so many people coming and going. He wondered if the street designs would be able to handle the traffic generated. When designing to slow down traffic, they recommended that a minimum of 25 mph be used as a design speed. He said this gives safer angles, and greater stopping time to avoid accidents. He said if the design speed is higher than the posted speed limit, it makes it safer, and referenced table 4.2 in *The Designing Walkable Urban Thoroughfares* manual. He added that prior to any approval; the Town needed written response to the each concern listed in their last two letters. Referring to design speeds,

Howell noted other tables 6.4 and 6.5 in *The Designing Walkable Urban Thoroughfares* manual to target speeds of 20-30 mph. He agreed they would design to 20-25 mph, but would also design so people would want to go 15 mph.

- B. Pervious Pavement** -- Discussion was then had regarding possible maintenance concerns in a windy dry climate. He thought this type of system could work, but standard maintenance would not work with it. He noted a decision needed to be made on its use in order to know what type of storm water system would be needed. Mr. Funk then referred to his Sunrise Letter dated January 3, 2012 and its list of concerns. Mr. Howell said there was much research on pervious pavement, and it is used often in Florida, but is not recommended for arid and windy areas. He said the idea was set forth by the planners due to its nice look and feel, but that he would not recommend it to the owners at this time. He thought they would be okay without having pervious pavement if needed, but would like to "leave it on the back burner," and would only use it if they came up with a maintenance program for it, but stressed that the local district would plan to take responsibility for its maintenance.
- C. Angles and Curves** - Howell said Grapevine is a modified grid with irregular blocks, but the travel lanes had the necessary curvature. He noted that AASHTO is strait forward and specific to what is permissible based on the design speed. Russ noted this was why it was importance to have a design speed greater than 15 mph to eliminate tight corners. Howell stated their intent is that the right of way would have a rigid angle, but the travel lane would have a smooth angle. It was also discussed how the narrow street design lessens the amount of pavement, which also lessens the cost of living. It was noted that SR 9 was not very walkable by both Ray and Alex Beal.
- D. Intersection Angles** -- Russ Funk said a 90 degree standard was made to make sure drivers could see what is coming from the other direction. He recommended the Town not approve anything less than a 75 degree angle. He also stated his concern with "Y" intersections because they do not define a through street, and recommended not to allow "Y" intersections. Mr. Howell responded that the "Y" intersections had a three way stop, and were intended to make people stop and look around. He added that round-a-bouts are confusing to pedestrians. He stated there was one 90 degree angle, and two 135 degree angles in their "Y" intersection designs, and requested they be able to keep them. He said they were functional intersections and he exhibited examples of such intersections from surrounding areas and areas around the state and nation. He added that people can see over their shoulder better at 90 and 135 degree angle. He said they were designed to respond to the natural environment and preserve view corridors. Noting that a rigid grid would not conform well to the natural environment. He reiterated they would be three way stop controls, Counsel Member Bill Lytle said he did not see an issue with a "Y" intersection if it had a three way stop, and Chair Doug Erdmann agreed.
- E. Intersection Spacing** -- Russ Funk stated they have not found anything that recommends street spacing less than 200 to 400 feet for pedestrian facilities in urban areas, excluding residential thoroughfares, and recommended that the current standards be maintained. He noted that left turning vehicles can potentially block traffic with shorter intersection spacing. Howell said Grapevine would like the flexibility of 100 to 150 feet.
- F. One Way Streets** -- Mr. Funk said he had been concerned regarding emergency vehicle access, but after a discussion with Mr. Howell, GVW agreed to add extra width to the roadway. Mr. Funk said he was no longer concerned. He further added that with the understanding that there will be no true one way streets, but just couplets with wide medians, and with the additional pavement width which will allow cars to pull off and still provide access for emergency vehicles, then his concerns are lessened.
- G. Lane Width** -- Mr. Funk said he did not have enough information to show the roads can handle all the trips generated. He suggested the Town consider protecting the standards, and noted the laws and standards are constantly changing, and the Town may want to give an expiration on approvals in case the development did not "go anywhere" in ten years. This way, those in power can make adjustments to the approvals according to the current standards.

Mr. Funk concluded by stating the January 3, 2012 letter outlines Sunrise Engineering's response, but said some of the concerns have now been mitigated, but others still need to be addressed. He recommended the Town not approve the development until written response to all concerns was given by GVW. To which Chair Erdman agreed. Mr. Howell responded by stating the Horrock's document shows the thoroughfares have reserve capacity. He said they would be getting with Sunrise to demonstrate such. In response to putting an expiration on approvals, Howell said he did not agree with an expiration since none of the roadways have been engineered yet, but are currently in a conceptual master plan state with a few specifics. He added that when the development is platted, each roadway would be engineered with construction drawings and go through the approval process. He stated they

would be founded on nationally accepted standards. Lytle asked about the Sunrise Engineering November 1, 2011 letter, to which Howell stated he would like to address it as well

Bob Nicholson October 5, 2011 Staff Report Conditions CONTINUED:

- 2) **Compliance with the International Fire Code (NFPA) and Wildland Urban Interface Code** shall be demonstrated in the Final Development Plan or prior to any site plan or subdivision plat submittal.

RESPONSE: Mr. Howell stated he had talked with Chief Steve Lewis who said he was now okay with the design and would be issuing a letter stating such. It was also agreed between the two that Grapevine Wash could demonstrate compliance to the Wildland Code at the time of planning. He stated Grapevine would comply with the International Fire Code, and noted St. George adheres to the Uniform Fire Code of 9.2 foot lanes instead of the NFPA Code of 12 foot lanes.

- 3) **A detailed 'typical' lot & home layout** shall be provided for each type of single family lot showing the following; lot boundary, street right of way, pavement edge with gutter and sidewalk, typical front setback area showing parking that meets code, and landscaping.

RESPONSE: Mr. Howell stated he had provided a "typical" lot & home layout. He said the design may need to be tweaked from ribbon curb to water shed curb, but it would not substantially change the layout, and that the dimensions did not change. He noted that the pattern book illustrated the layouts. He said they would be asking for a height variance which the Fire Chief said was fine if Grapevine provided for a ladder fire truck.

- 4) **GW developers shall submit a plan or proposal for how to mitigate the traffic impacts** identified in the TIS prepared by Horrock's Engineers, April 2011. The traffic mitigation/ improvement plan shall be approved by the Town Council prior to approval of the Final Development Plan or any site plan or subdivision plat submittal.

RESPONSE: Mr. Howell stated Grapevine would help Leeds work with Utah Department of Transportation (UDOT) regarding future improvements to Leeds Main Street and Freeway Interchange. And Grapevine would follow the trigger point standards of when new roads were required. He said after 100 homes a second ingress/egress would be created, and stated the Leeds Master Plan proposes that Babylon Mill Road someday connect with Old Babylon Road. He said they would pursue this connection for the second ingress/egress, and that after 600 units, they would look towards a connection with Toquerville. But, bottom line, if they could not secure a second access, the development could only build 100 units.

Commissioner Bill Lytle stated he felt a four way interchange would be needed because all the traffic going to Grapevine would currently need to travel through Leeds Main Street. And Sunrise Engineer Russ Funk added the traffic plan would need to be approved with the Town Council.

- 5) **For mixed-use or multi-family buildings** over two stories in height the building design shall be subject to design review and approval by the Town Council with recommendation from the Planning Commission, to ensure compliance with the intent of the Pattern Book. Town staff shall review the building design for all other buildings for compliance with the Pattern Book.

RESPONSE: Mr. Howell stated Grapevine concurred with and would adhere to this condition.

- 6) **Gravel parking areas** along the public streets are not allowed due to aesthetic and maintenance concerns.

RESPONSE: Mr. Howell stated that the Leeds Town Hall had a gravel parking lot, and that almost all other road sides in Leeds had gravel parking, and Leeds was not a dust bowl. However, he said they would supply a hard surface if required, but would prefer not to.

Engineer Russ Funk stated they had just completed a lengthy storm water plan for Leeds and found that graveled areas increases the drainage problem and causes more road deterioration.

Commissioner Ray Beal noted that ribbon curbing works well. It was concurred that the decision to approve gravel or not would be based upon what type of curb and gutter and roads were used.

- 7) **Streets designated as "Lane" and "Road"** (pp 40 and 42 of the Pattern Book) should be **deleted and replaced** with a "Street" as shown on p.44 of the Pattern Book. The "Street" lane width should be increased from 11' to 12'.

RESPONSE: Mr. Howell asked if the Town would reconsider this condition if Grapevine could demonstrate that the 11' width would be okay. He said if the gravel were deleted it would work. He added that it would be fine to replace the "road" term with "street", but felt lanes in low traffic volume

areas would be okay at 11'. Commissioner Lytle asked if 8 foot parking would still be provided on 11 foot lanes, to which Howell responded this was to accommodate fire safety, and noted people naturally slow down in narrower travel lanes.

- 8) **GW should have 3 road access points** as part of phase 1 as per the Traffic Impact Study.
RESPONSE: Mr. Howell noted this had already been discussed above.

Mr. Howell then offered to "walk through Grapevine's responses to the Sunrise Engineering Letter as follows:

Sunrise Engineering Letter 09/01/11 Conditions:

- 1) **The Preliminary Traffic Capacity Analysis completed by WCEC** list two options to address the traffic impact generated by this development. One option is to complete reconstruction of the north Leeds interchanges; the second option involves widening of Main Street. Sunrise stated the Town of Leeds would be negatively impacted by routing all of the traffic for this development through town and the recommended the town required option one for the complete reconstruction of the north interchange as the best solution.

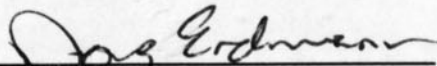
RESPONSE: Mr. Howell said Grapevine wanted to do what was reasonable and made sense, and that they were in favor of a north four way interchange, but did not think Grapevine should pay the for the complete project. He noted the four way interchange project was not currently on the UDOT STIP list, and that Grapevine would be happy to facilitate the formation of an interchange committee to move the project forward. He said this is the direction the UDOT manager had recommended.

8. **Discussion on the Mixed-Use Zone (Chapter 23 of Zoning Code)** - A **Motion** was made by Alex Beal with a **second** by Bill Lytle to **Table** until Contract Planner Bob Nicholson could be present. An **Aye** vote was **Unanimous**.

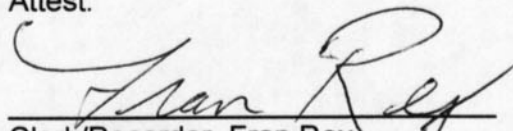
9. **Discussion on the Sign Ordinance** – Chair Erdmann said the sign ordinance needed to be simplified to make it easier to understand. Commissioners Lytle and Ray Beal agreed. It was decided that each Planning Commission should review the sign ordinance and come back with suggestions of ways to simplify it.

10. **Adjournment** by Bill Lytle at **9:00 p.m.**

APPROVED ON THE 1st DAY OF February, 2011.


Chair, Doug Erdmann

Attest:


Clerk/Recorder, Fran Rex

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on

Wednesday, January 11, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street

Public is welcome to attend

AGENDA

Up to two Town Council Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE CLERK/RECORDER BY 6:55 P.M.

BUSINESS SESSION:

1. Call to Order
2. Swearing in of new Town Council Members Joe Allen and Nate Blake, Clerk/Recorder Sharon Martin, and Deputy Clerk/Recorder Fran Rex
3. Pledge of Allegiance
4. Roll Call
5. Declaration of Abstentions and Conflicts by Council Members, if any
6. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from December 14, 2011 Town Council Meeting
7. Financial Reports for December, 2011
8. Announcements:
9. Citizen Comment: (No action may be taken on a matter raised under this agenda item). *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Fran Rex in writing before 1:00 p.m. on the Wednesday one week before the Council meeting.*

WORK SESSION:

DISCUSSION ITEMS:

10. Treasurer report on Audit
11. Training

UPDATES BY STAFF:

- 12.


CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).

13. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted January 9, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pme.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper


Fran Rex, Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

January 11, 2012

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:10 p.m. by Mayor Roberts.
2. **Swearing in** - of new Town Council Member Joe Allen, Clerk/Recorder Sharon Martin, and Deputy Clerk/Recorder Fran Rex.
3. **Pledge of Allegiance** - was led by Frank Lojko.
4. **Roll Call** - Present was Mayor Alan Roberts and Council Members, Frank Lojko, Angela Rohr and Joe Allen. Also in attendance were Clerk/Recorder Sharon Martin, Deputy Clerk/Recorder Fran Rex, and Treasurer Jean Beal. Nate Blake not present (will be sworn in, in the near future).
5. **Declaration of Abstentions and Conflicts by Council Members** – None
6. **A Motion** was made by Angela Rohr with a **second** by Frank Lojko to **Approve Tonight's Agenda including Minutes** of Town Council Meetings from **December 14, 2011**, which were also provided in advance to newly sworn in Council Member Joe Allen. An **Aye** vote was **Unanimous**.
7. **Financial Reports for December, 2011** – The council reviewed and discussed. No Comment.
8. **Announcements** – Mayor Roberts reminded Town Council of previous announcement of an opening for a Planning Commission Member and Alternate Member.
9. **Citizen Comment** – Boy Scout, Austin Anderson, presented an Eagle Scout project to the Town Council. He said the project would entail pouring concrete behind the baseball backstop, as well as pouring a concrete pad behind the backstop, which would extend to the sidewalk toward the benches. Mayor Roberts asked Anderson what benefit(s) this project would have on the community. Anderson responded that it would make parking more accessible and in the future it would help with the Little Leagues, in that, it would give a place for the parents to sit. Anderson said that the donations would be provided by various people, including Western Rock. Mayor Roberts questioned the cost of the project and was told it would cost between \$600.00 to \$700.00. Mayor Roberts responded that he is in support of Eagle projects staying in town, stating that the youth then feel vested in their town and have more of a desire to see that things are taken care of, in regards to the project. Mayor Roberts stated that he felt this would be positive for the town, and then asked if anyone had any comments. Council Member Frank Lojko commended Anderson's efforts and then asked how many yards of concrete would be poured. Anderson stated 5 yards would be poured. Council Member Angela Rohr asked if there was a drawing of what was being proposed, and was told not at this time. She later commented that she would like to see a drawing of the proposal and was told that once and if the project gets approved a drawing would be provided. Council Member Frank Lojko asked Anderson if there would be any help needed on this project from the town and was told no, stating that they will recruit more boys and his father would get help from his co-workers.

Mayor Roberts asked if there were any further citizen comments. There were none.

WORK SESSION:

DISCUSSION ITEMS:

10. Treasurer report on Audit. – Treasurer Jean Beal presented the 2011 Audit to the Town Council and answered questions regarding the financial reports. Beal stated that the 2011 Audit for the Town of Leeds is done and is in compliance, required by the State of Utah Legal Compliance Audit Guide. She recently met with Accountant for Town of Leeds, Steve Palmer. Palmer made the following suggestions: He would like the Mayor to sit with the Treasurer and sign all bank statements and date them. He noted that there were no material weaknesses. He further suggested that all financial documentation be reviewed with the Mayor, dated and signed by the Mayor and Treasurer. He said all building permit surcharges should be submitted no later than 30 days, following the end of the quarter. Palmer stated that the expenditures in the General Fund were in excess of the budgeted amounts. Beal commented that State Law required that expenditures be limited to the budgeted amount. Beal said that Palmer stated that the Town needs to continue to closely monitor budgets and make adjustments as necessary to ensure compliance with the State Law. Palmer suggested that the Town Council Members be more involved in the Financials. Beal has since requested that Council Member Angela Rohr go through the Financial Statements and Checks and then sign them and return to Beal. She will then add them to Bank Statements so they will be available next year. Palmer had a concern regarding the Building Permit Surcharge, that it hasn't been submitted on time in the past. Timeliness on this issue has been resolved, and going forward it will not be an issue. Beal reiterated that because the expenditures in the General Fund had exceeded what was in the budget, we need to watch it more closely. She further stated that when we do go over budget we need to reopen the budget and fix it so we don't go over budget. She then discussed Impact Fees. She said Palmer told her regarding the Safety Impact Fees, we need to go into the Ordinance and review it to see if it states whether it is just for the Police Department's use. If that's not the case, the Town can use it for Public Safety, such as projects dealing with cement usage, etc. Palmer explained that in order to use these fees you set a date and must have the project completed within that certain time frame or you have to return the money. There were only two issues Palmer was concerned about; 1) Public Safety and, 2) Curb and Gutter. Beal reported that we are up to \$165,000 in our General Fund, and that our Road Account is looking really good. She said a letter needs to be written to the State regarding our status with Public Safety and Curb and Gutter and then we will be in compliance.

Treasurer Jean Beal prepared a copy of the 2011 Audit for the Town Council Members, which they are to return to her after they have reviewed them.

11. Training – Mayor Roberts expressed his encouragement that town representatives, whether elected or hired, should be given proper training so they understand what their duties are and can properly serve the community. Mayor Roberts led an informal training session and gave a presentation on the Utah Open Public Meetings Act (UOPMA). The Mayor stressed the importance of following all guidelines of the UOPMA and stated that there can be legal action if the guidelines are not adhered to.

Mayor Roberts stated that he will be doing more in house training with the Town Council Members at a later date having to do with land use issues and what our role is when it comes to dealing with land use issues, what the Planning Commission's role is, and where government sits, as far as dealing with land use issues.

UPDATES BY STAFF:

12. Council Member Angela Rohr announced that there will be a meeting next Wednesday, January 18, 2012, at the Washington Community Center on ERMC, having to do with risk management. A discussion ensued on who should attend this meeting. Mayor Roberts stated to the Town

Council Members that he wanted each of them to be active in the following areas: Council Member Frank Lojko on Roads issues, Council Member Angela Rohr on Parks and Recreation, and Council Member Joe Allen on Historical Committee and Trails, with a crossover on CCC.

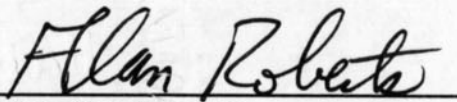
Council Member Angela Rohr reminded Town Council of last month's TC meeting discussion regarding the assignment of the representative from Army Families Retirement to prepare a resolution for the Town Council's approval. Rohr expressed that this resolution was needed so if she is no longer with the Town Council or not available, that the town knows its responsibility to keep it going. Mayor Roberts interjected that this is where a resolution would lock it in. Rohr will follow up and have the resolution ready for the next TC meeting.

Deputy Clerk/Recorder Fran Rex announced that there will be a meeting dealing with Emergency Planning on February 2, 2012, held in Cedar City, dealing with local (Washington County) emergencies, such as, where to take people in the case that hospitals are not able to take more people, etc. Rex also commented on a HISTORICAL HIKE, which is listed on our Leeds Town website. It was held on January 10, 2012, and was a follow up tour of the Adams house and Silver Reef. Jim Kemple, grandson of the man who discovered silver at Silver Reef was the tour guide.

CLOSED MEETING – A Closed Meeting was not held

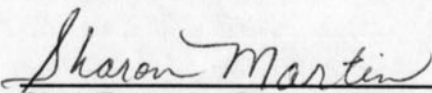
13. Adjournment – by Mayor Alan Roberts at **8:30 p.m.**

APPROVED ON THIS 24 DAY OF January, 2012.



Mayor Alan Roberts

Attest:



Clerk/Recorder Sharon Martin

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, January 25, 2012, 7:00 p.m.
At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

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NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE CLERK/RECORDER BY 6:55 P.M.

BUSINESS SESSION:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from January 11, 2012 Town Council Meeting
6. Announcements:
7. Swearing in of new Town Council Members Nate Blake
8. Citizen Comment: (No action may be taken on a matter raised under this agenda item). *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Fran Rex in writing before 1:00 p.m. on the Wednesday one week before the Council meeting.*

REGULAR MEETING:

ACTION ITEMS:

1. Discussion & Possible Approval of Mosquito Abatement Resolution

WORK SESSION:

DISCUSSION ITEMS:

1. Heritage Trail Report by Glen Zumwalt
2. CCC Camp Stonework report by LoAnne Barnes
3. Draft Ordinance for Leeds area Cemeteries
4. West Center Street issues
5. Silver Reef road right of way
6. Animal control contract with La Verkin or Washington City
7. Consolidated Fee Schedule

UPDATES BY STAFF:

- 8.

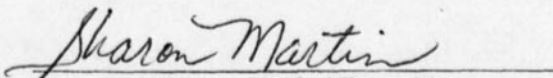
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9. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

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Sharon Martin, Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

January 25, 2012

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:00 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** - was led by Council Member Joe Allen.
3. **Roll Call** - Present was Mayor Alan Roberts and Council Members, Frank Lojko (via Skype), Angela Rohr and Joe Allen. Also present was Clerk/Recorder Sharon Martin. Nate Blake not present (will be sworn in, in the near future).
4. **Declaration of Abstentions and Conflicts by Council Members** – None
5. **A Motion** was made by Angela Rohr with a **second** by Joe Allen to **Approve Tonight's Consent Agenda, comprising of January 25, 2012 Agenda and Minutes** of Town Council Meetings from **January 11, 2011**. An **Aye** vote was **Unanimous**.
6. **Announcements** – Mayor Roberts stated that Nate Blake is still ill.
7. **Swearing in of new Town Council Member Nate Blake**. Swearing in will be postponed until Blake is well enough to attend TC meeting.
8. **Citizen Comment** - Mayor Roberts asked if there were any citizen comments. There were none at the time, but may be some during Discussion Items session.

REGULAR MEETING:

ACTION ITEMS:

1. **Discussion & Possible Approval of Mosquito Abatement Resolution**. Mayor Alan Roberts discussed the Mosquito Abatement Resolution from the Southwest Mosquito Abatement & Control District of Washington County to the Town of Leeds. Mayor Roberts stated this resolution was pretty straight forward, naming Darrell Nelson as the representative and agent. TC members reviewed draft copy of the resolution. Mayor Roberts said he was in favor of the resolution. A **Motion** was made by Council Member Joe Allen to approve the resolution as it stands, with a **second** by Mayor Alan Roberts. **An Aye Vote was Unanimous.**

WORK SESSION:

DISCUSSION ITEMS:

1. **Discussion & Possible Approval of Heritage Trail**. A member of Leeds Task Force, Glen Zumwalt proposed a draft for a trail in the Town of Leeds. Zumwalt passed out attachments to the members of Town Council and asked that they review them at their leisure, 1) draft of proposed project which is Phase I to establish the Silver Reef Mining District Heritage Trail and, 2) information on the group they will be commissioning to do the study, as well as the approvals required. He announced that he would be presenting Phase I of the Trail Project, and that at this time they didn't have Phase II or III or any other phases. They will need Town's approval to

proceed with other phases. They will come back after several weeks with a finalized plan. It will be in the same format as presented tonight. What they are looking for is a critique to that plan from the Town Council so they can move forward. Zumwalt explained that what was outlined in the draft handed out identifies the need to establish an interpretive Trails System which would accommodate hikers, bikers and equestrians. The trail will connect to Silver Reef and other historical sites, as well as intersecting with other trails. He said there would be no cost to the Town. The project is a feasibility study for new trail systems being worked on by graduate students and should be complete by end of June, 2012.

Mayor Roberts responded that the Town was supportive of some trails.

Ange Rohr questioned the handout on Community Home Study. Zumwalt said students do work on the internet to study. The students are reimbursed \$100 per month.

2. **CCC Camp Stonework Report.** A member of Leeds Task Force, LoAnne Barnes presented a report on the condition of the stonework of the pilasters in the CCC Camp. She reported that the pilasters are in need of care, that they need shirring up. She has two (2) bids to shirr up some of the pilasters on Main Street. Roy Madsen gave her a bid of \$2500 to fix the pilasters. Walt Greg have her a quote of \$1600. He would use blocks of stone and pea gravel. She commented that historically and architecturally Greg's is the best choice. Mayor Roberts responded that the finished look should be the deciding factor. He requested that at next meeting, February 8, 2012 to make this an Action Item to approve some expenditures.

Barnes would like the Town to look at making that property a park so we have some funding to use to maintain that area. Mayor Roberts said there is no commercial business there. Cost to Town would be too much to go commercial, and thus, it would make most sense to consider making it a park. Mayor Roberts commented that there was a concern with utilities and parking, which needs to be addressed. He further requested Ange Rohr to get a visual assessment of the steps reported on by LoAnne and then report back to the Town Council on her findings.

LoAnne Barnes further announced that there will be a Walk The Reef, ASMR Shafts to Red Cliffs campground tomorrow at 1:30pm. All is invited.

3. **Draft Ordinance for Leeds area Cemeteries** Mayor Alan Roberts reported on 2 rough drafts dealing with the cemetery.
 - 1.) The past Mayor, Hyrum, was working on a draft, Titled 18. Mayor Roberts said the Town has no established rules on cemeteries, but we need to protect historical areas and better manage new areas in the cemeteries. He said he feels it is in the Town's best interest to follow through with what Hyrum started with the cemetery ordinance.
 - 2.) Patterned after Tooele County, this second draft was given to the Town Council to review, and asked that they cross out and/or exclude verbiage as needed. He reminded that this will govern the three cemeteries that now exists.

Council Member Joe Allen responded that he liked Hyrum's draft, and stated that this was actually crafted from the Tooele version.

Council Member Angie Rohr commented that she was surprised to read that vaults are mandatory. Mayor Roberts said this is a State statute.

Further, Mayor Roberts said that there are some ordinances being drafted by Planning Commission.

4. **West Center Street Issues** Mayor Alan Roberts announced that a homeowner brought up an issue regarding West Center Street. He said the Town signed an agreement with property owner at the end of West Center Street and allowed for access and utility easement with modification on the alignment on that road. A discussion was had on the property boundaries. He said a contract was agreed upon with property owner Kevin DeWitt. DeWitt has deeded some land to the Town. DeWitt asked the Town to establish where the easement comes through adjacent to his property so he can determine where to fence his property. He has a question regarding drainage in the north side of Center Street and the run-off from other properties that are higher in elevation that have no drainage.

Mayor Roberts said this issue would need to be addressed. Frank Lojko concurred.

Ange Rohr said she would like a tour of Center Street to address the issue. Mayor Roberts suggested that we hold off until after February 3, 2012, or even 30 days after that, so as to not create a stir. He said it was a good idea and he would like a short work session with TC in 30 days.

OPEN PUBLIC DISCUSSION

It was brought up that there was an issue with a dead end near Center Street, that there is no sign posted soon enough to warn drivers that they are headed on a dead end road, and they end up having to turn around – after they have gone up the hill. It was recommended that a sign be placed at turn. Also, it was discussed that the tunnel water coming off property owner Terry Prisbey's land, is pooling from the city road and funneling down to the DeWitt's property.

There was a brief discussion by Council Member Ray Beal regarding water issues with 2 pipelines; culinary and irrigation water. No legal action to Irrigation Company. Regarding Culinary waterline – they have been capped after DeWitt's house. Mayor Roberts responded that he was not sure about the irrigation pipes.

5. **Silver Reef road right-of-way** Mayor Alan Roberts discussed the Silver Reef right-of-way, off I 15 and first bend behind Silver Reef Road, before turn off at Cemetery. He stated that an applicant on Silver Reef owns to the middle of the road, and the Town does not own that right-of-way. This owner wants a round-about. It was said that Silver Pointe Estates will deed a right-of-way to Town. There are two (2) other projects in that vicinity that we need to establish the right-of-way. Mayor Roberts said he doesn't feel it's Silver Pointe Estates' responsibility to establish the right-of way, other than what he owns. He feels the Town, at some point, needs to engage in a dialogue with the other property owners to see what it would take to acquire the right-of-way. Mayor Roberts expressed that the government needs to compensate land owners for right-of-way, and not just take the land from property owners.

Council Member Joe Allen questioned how one determines the estimated value of the property. Mayor Roberts responded he was uncertain and that sometimes you have to use eminent domain, but either way, the property owner is compensated.

Developer Rick Sant commented that he is trying to work a swap with two property owners and urged the Commission to give it some time, perhaps up to a year, but feels it will all work out and take care of itself.

Council Member Frank Lojko commented he has been working with engineers on this project. Sunrise has said for Frank to go in and repair the road where pavement exists. The proposal was to go back to original footprint and repair that part of the road and chip and seal the rest. Further, they would grade, pave, cut the road on each side and taper in the asphalt, chip and seal, because it is not safe as is, because it was not patched correctly. He said we cannot wait for developments (because of economy) on this, and for safety reasons we need to correct this now and later get with owners regarding widening the road.

Lojko asked if Council feels comfortable with this approach. Mayor Roberts responded in light of safety reasons he was comfortable. Lojko stated that the Town has money in the budget to repair the S Curve of Silver Reef to make it safe. The Mayor also said the speed signs should be lower.

6. **Animal control contract with LaVerkin or Washington City** Mayor Alan Roberts opened the discussion with the question "why do or should we license dogs?" He said he contacted several other cities and asked them why they require dogs to be licensed. The main response was that by requiring the licensing it encouraged more cooperation with the owners of the dogs to get them vaccinated, which encourages a higher health standard for the animals. Mayor Roberts stated that the Town of Leeds does have an animal control ordinance. He said he contacted the cities of LaVerkin and Hurricane and briefly talked about contracting with them for animal control services. He further said that if the Town contracted with another city for these services a contract would need to be drafted. Mayor Roberts commented that the Town's Fee Schedule warrants the cost to use other city's Animal Control services. Council Member Joe Allen requested the costs that would be incurred in using other city's Animal Control services. Mayor Alan responded that would be the next step, but first he wanted to know if there was a need for such services.

Regarding holding Saturday licensing/registering sessions, Mayor Roberts expressed that it wasn't in the best interest of the Town, as it costs more to pay Town employees for their time than the monies brought in for the licensing/registering. He said it is enough that we send out reminders in Newsletters and postings on our website. Joe Allen said we might put an additional reminder in the trash bill.

7. **Consolidated Fee Schedule** Mayor Alan Roberts discussed Fee Schedule. There was a couple of areas the Mayor wanted to touch on:
1. \$5.00 for the Dogs license, questioning if it was too low.
 - 2 Professional Fees, stating they seemed to be high and feels it is not fair for owners to be required to pay Professional Fees on top of paying for Amending Fees.

Council Member Frank Lojko said he has no problem with fees and doesn't feel they are high. He said he has heard from others that it is important to have fees high enough for buyers to take seriously; so they don't buy the property, pay low fees and end up walking away from the property. The more they are invested, the more probability they will try to finish the project in a timely manner.

Council Member Angie Rohr commented that maybe the Town should create a separate category for Subdivision Fees. Regarding the Cemetery, Rohr said that to sell a lot back to the Town will cost \$100.00.

Making reference to Ordinance and Fee Schedule, Mayor Roberts said ordinance is in draft only now and once approved both figures will have to match. Mayor said we will need to handle ordinances and fee schedule at same time. It was mentioned, if you allow the selling of a lot to Town, it has to be recorded.

UPDATES BY STAFF:

8.

Mayor Alan Roberts discussed the ERMC trainings (Risk Management education) and asked the TC members to review the schedule of classes and determine which classes they would be able to attend. to the Town Council , courses to better educate on risk management. He commented on travel reimbursements, letting Council know that if the meeting is local there will be no travel reimbursements, but if the meeting is out of town they would be reimbursed. He requested that Council Member Frank Lojko attend the class on Policy, Procedures and Program held on February 8, 2012, at Washington Community Center.

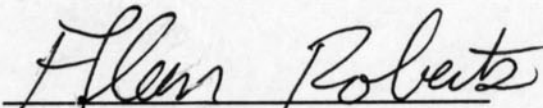
Mayor Alan Roberts discussed the pros and cons of sending notification emails to individuals requesting to be on the Town Hall emailing list. He stated that all notifications are posted on the town's website and questioned the need for a group mailing list. Council Member Angela Rohr

commented that not everybody goes to the website. Council Member Joe Allen expressed the need to embrace technology and said that quite often he will not go "web searching" for meetings, but if someone sends him information via email about an upcoming meeting, he may be more inclined consider it. It was further discussed that there needs to be policy and procedures regarding sending out emails to the general public.

CLOSED MEETING – A Closed Meeting was not held

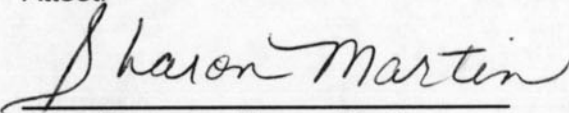
13. Adjournment – by Mayor Alan Roberts at **9:13 p.m.**

APPROVED ON THIS 9th DAY OF February, 2012.

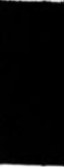


Mayor Alan Roberts

Attest:



Clerk/Recorder Sharon Martin



PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, February 1, 2012 at 7:00 p.m.
At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

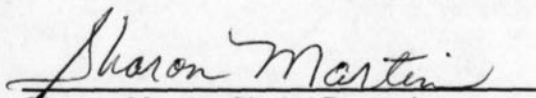
Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

1. Voting for new Planning Commission Chair
2. Call to Order
3. Pledge of Allegiance
4. Roll Call
5. Declaration of Abstentions and Conflicts by Commission Members, if any
6. Consent Agenda
 - Tonight's Agenda
7. Minutes of January 4, 2012 Planning Commission Meeting,
8. Announcements
9. Review, Discussion & possible recommendation for approval of the Silver Pointe Estates Final Plat Map of Phase 1 and Preliminary Plat Map of Phase 2.
10. Discussion and possible recommendation for the Grapevine Final Development Plan
11. Discussion on the Sign Ordinance
12. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted January 31, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leadstown.org, and Spectrum Newspaper


Sharon Martin, Clerk / Recorder

**TOWN OF LEEDS
PLANNING COMMISSION MEETING**

February 1, 2012

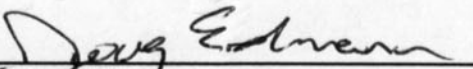
WORK MEETING:

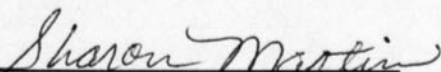
1. **Call to Order** – There was not a quorum. No meeting was held.

WORK SESSION:

2. **Call to Order** – There was not a quorum. No meeting was held.

APPROVED ON THIS 15th DAY OF February, 2012


Doug Erdmann

Attest: 
Clerk/Recorder Sharon Martin

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, February 8, 2012, 7:00 p.m.
At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Town Council Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE CLERK/RECORDER BY 6:45 P.M.

BUSINESS SESSION:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from January 25, 2012 Town Council Meeting
6. Announcements: Stephanie Winword from Washington County Solid Waste presenting check to Town for past recycling efforts.
7. Oath of office for new Town Council Member-Nate Blake
8. Citizen Comment: *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item.*

WORK SESSION:

DISCUSSION ITEMS:

1. Heritage Trail Proposal Update
2. Draft Ordinance for Leeds area Cemeteries Update
3. Access Management Plan
4. Street Lighting on Main Street

REGULAR MEETING:

ACTION ITEMS:

1. Approval for expenditures for CCC Camp Stonework
2. Candidates for Planning Commissioners to be considered
 - a. Don Likens
 - b. Diane Burton

UPDATES BY STAFF:

- 3.

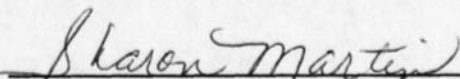
CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).

4. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted February 7, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Sharon Martin, Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

February 8, 2012

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:04 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** - was led by Council Member Joe Allen.
3. **Roll Call** - Present was Mayor Alan Roberts and Council Members, Angela Rohr and Joe Allen. Council Member Frank Lojko (did not participate via Skype – couldn't link up). Also present was Clerk/Recorder Sharon Martin. Nate Blake (to be sworn in following announcements).
4. **Declaration of Abstentions and Conflicts by Council Members** – None
5. **A Motion** was made by Joe Allen with a **second** by Angela Rohr to **Approve Tonight's Consent Agenda, comprising of February 8, 2012 Agenda and Minutes** of Town Council Meetings from **January 25, 2012**. An **Aye** vote was **Unanimous**.
6. **Announcements** – Jenifer Winward, Recycling Coordinator for Washington County, gave a presentation on the Washington County Recycling Program. She told the Council of their various locations, as well as areas where they expect expansion. She talked about the benefits of the Program to the community and reviewed a 4 year comparison of recycling collected from the Town of Leeds, indicating that there has been a steady growth in the recycling and monies thereof earned. She presented to the Town of Leeds a check in the amount of \$1110.55, which was for the Town's recycling during a 12 month period (2011). For this next period (2012), she requested that the Council let her know where the Town wants these funds to go, more specifically, what project these monies would fund, and she will then promote to the Town where their recycling funds will go. The Mayor responded that the money will probably go to Parks (including Historical parks) as they don't currently have funding for maintenance issues on them. It was suggested that a flyer promoting the project be put in the trash bill and the Town's website, as well as the Post Office, Leeds Store, and on the Recycling Bins themselves. Mayor Roberts said the Town is very supportive of the Program, and he is very pleased with the response the Town has had with their organization and the Washington County Recycling Program.
7. **Swearing in of new Town Council Member Nate Blake.** Swearing in of Nate Blake.
8. **Citizen Comment** - Mayor Roberts asked if there were any citizen comments. There were none at the time, but there may be some during Discussion Items Session.

WORK SESSION:

DISCUSSION ITEMS:

1. **Heritage Trail Proposal Update** Glen Zumwalt, member of Leeds Task Force, presented an update to their proposed draft for a Heritage Trail in the Town of Leeds, going from Silver Reef down to the Adams House. He stated that it is an interpretive Trails System which would accommodate hikers, bikers and equestrians. He further stated that it is in the planning stages at this point. Zumwalt

expressed that the purpose of the draft is for the Council and others to look at and give the Task Force any input and/or changes to the Plan/Proposal, so they can move forward. Zumwalt explained they still have two issues yet to identify on the Proposal. 1.) They need to identify where the students will stay and 2.) They need to identify where the students will work on this study. He requested to the Council that the students use a room in Town Hall to do their work during the daytime. He said they would need to discuss if they needed to reimburse the Town for Wi-Fi connectivity. He said there would be about five graduate students dedicated for this study, who have been pre-screened, and who will present themselves as fine residents during the time they stay in Leeds.

Zumwalt stated Peter Stemple, who manages the students, would like to address the Town Council in two weeks. Mayor Roberts said that that would be great and commented that we would plan on this being a part of the Agenda for the next Council Meeting. Further, Mayor Roberts said he doesn't see an issue with the students using the Town Hall facility for this purpose. Council Member Nate Blake agreed.

Mayor Roberts did say he had a concern, that being, keeping ATVs off the trail. Zumwalt responded that the way the proposal was written right now, the connecting trail would be for hikers, bikers and possibly equestrians. They would try to identify where motorized trails that now exist cross that trail. They would like to consider having parking places where the motorized access is and then have access to the hiking trail, something in between. He reminded the Council that that is in the study, to see how feasible motorized trails and motorized access would be.

Mayor Roberts responded he likes the proposal.

- 2. Draft Ordinance for Leeds area Cemeteries Update** Mayor Alan Roberts said he was reminding the Town Council Members to go through the two (2) rough drafts dealing with the cemetery, so a Cemetery Ordinance can be drafted. He said he thought it would be best to look at the cemeteries as a whole, and not break down each cemetery, that being, one Cemetery Ordinance will be fitting for all three cemeteries that currently exist, the Town cemetery, the Catholic cemetery and the Protestant cemetery.

He further said this item will be continued at next Council meeting and urged the Council Members to be prepared to have this summed up in the next month or so. He said he was leaning toward using the draft Hyrum had started developing. He stressed the importance of drafting the ordinance in a way that is best for the Town.

- 3. Access Management Plan** Mayor Roberts explained that there is an organization called the COG (City of Governments within the County of Washington). Further he said that COG money is money that is collected by the State, that it is highway taxes that go into a fund that are used for protecting or acquiring roadway corridors of Cities within the County of Washington. He further stated that the Town of Leeds belongs to an organization called RPO (Rural Planning Organization), which looks at roads, and how they will be used and connects within cities. In a meeting the night before, the RPO added an item to the list of possible improvements which can be facilitated with COG money, that being, an I 15 Interchange for Leeds.

He stated that in order to be eligible for COG money, the Town must have an Access Management Plan in place. Mayor Roberts provided a copy of LaVerkin's Access Management Plan to the Council, and reiterated that is it the Town's best interest to draft such a Plan for the Town of Leeds. He also provided a copy of UDOT (Utah Department of Transportation) Resolution No. R-2009-10, which talks about Municipal Access Plan. He asked the Council the review these documents when deciding how to draft an Access Management Plan for the Town of Leeds. Again, he stressed the importance of drafting the Plan in a way that is best for the Town.

- 4. Street Lighting on Main Street** Mayor Roberts told the Council that the Town of Leeds pays \$400 per month for street lighting. This consists of 23 lamp lights on Main Street. He questioned the Council whether or not the Town actually needs that many lights on Main Street. He mentioned that UDOT doesn't require the street lights, but that if the lights are there for the Interchange purposes,

then UDOT should be responsible to pay the monthly charges. At this time, UDOT has not been contacted to verify their requirements and responsibilities for such payment. A discussion ensued on the pros and cons of the street lights versus the night light. Council Member Joe Allen requested to read Leeds' Street Light Ordinance.

Council Member Angela Rohr questioned if it would be a good idea to get a poll from the residents on Main Street. It was mentioned that the questionnaire could be added to the trash bill.

Mayor Roberts agreed that this would be a good idea.

Council Member Joe Allen commented that lights are a safety issue and should be provided. Mayor Roberts said he wasn't opposed to the lights, but questioned whether the Town needed all 23 lights.

Mayor Roberts discussed the concerns of children being picked up in an unlit area (the park) and said the bus should Pick Up/Drop Off on Main Street, where it is lit and most safe. He would like this issue resolved with the School District by next year.

Council Member Nate Blake commented that he had concerns of a narrowness in the road on Valley Road. It was suggested that this issue be brought up with Council Member Frank Lojko, as he is over the Road Committee.

Mayor Roberts said he would contact UDOT to verify their requirements and responsibilities for the monthly payment regarding the 23 street lights on Main Street.

REGULAR MEETING:

ACTION ITEMS:

- Discussion & Possible Recommendation for Approval on proposed expenditures for CCC Camp Stonework** The Council was provided with two quotes to repair the pillars at the CCC Camp from contractor Walt Greg. One quote was for \$1500.00 and the second one was for \$1600. Mayor Roberts commented that LoAnne Barnes, who had researched this repair was in favor of the 2nd option. A discussed was had by the Council on the pros and cons of each proposal.

Chair Mayor Roberts asked the Council if they had any further comments or questions, to which they said no. A **Motion** was made by Joe Allen with a **second** by Ange Rohr to **Recommend for Approval of Option #2 in proposal from Walt Greg for the amount of \$1600.00**. The following roll call vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIR MAYOR ALAN ROBERTS	X	_____	_____	_____
COUNCIL MEMBER JOE ALLEN	X	_____	_____	_____
COUNCIL MEMBER NATE BLAKE	X	_____	_____	_____
COUNCIL MEMBER ANGE ROHR	X	_____	_____	_____
COUNCIL MEMBER FRANK LOJKO	_____	_____	_____	X

Proposed the Option #2 in proposal from Walt Greg for the amount of \$1600.00 was recommended for

Approval X Rejection Tabled

- Candidates for Planning Commission Members to be considered** Mayor Roberts stated that the Planning Commission needed to fill two positions: 1.) **Commission Member** and 2.) **Alternate**

Commission Member. He had received letters of intent by two Leeds residents, Diane Burton and Don Likens. Copies of said letters were passed out to Council for their review. A discussion was had on each candidate's qualification.

Chair Mayor Roberts asked the Council if they had any further comments or questions, to which they said no. A **Motion** was made by Nate Blake with a **second** by Joe Allen to **Recommend for Approval of Diane Burton to be elected Commission Member and Don Likens to be elected Alternate Commission Member.** The following roll call vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIR MAYOR ALAN ROBERTS	X			
COUNCIL MEMBER JOE ALLEN	X			
COUNCIL MEMBER NATE BLAKE	X			
COUNCIL MEMBER ANGE ROHR	X			
COUNCIL MEMBER FRANK LOJKO				X

Proposed that Diane Burton be elected Commission Member and Don Likens be elected Alternate Commission Member was recommended for

Approval X Rejection Tabled

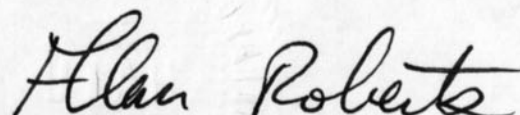
UPDATES BY STAFF:

Mayor Roberts announced to the Council that landowner Terry Prisbey had been a no-show at last a past court hearing. He further stated that it has now been over 30 days since that court hearing and Prisbey has failed to petition to the court. As such, Mayor Roberts has now contacted surveyor Bundy to survey the property to locate the boundary/right of way. A discussion ensued regarding the access to Hidden Valley and various ways to approach this issue.

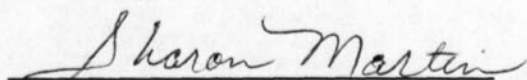
CLOSED MEETING – A Closed Meeting was not held

13. Adjournment – by Mayor Alan Roberts at **9:02 p.m.**

APPROVED ON THIS 22nd DAY OF February , 2012.


 Mayor Alan Roberts

Attest:


 Clerk/Recorder Sharon Martin

NOTE: Tape ended 1:26 minutes into the 2:00 hour meeting (batteries died).

PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, February 15, 2012 at 7:00 p.m.
And a work meeting at
6:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

Work Meeting: 6:00 p.m.

1. Call to Order
2. Swearing in of new Planning Commissioner Diane Burton and Alternative Planning Commissioner Don Likens
3. Roll Call
4. Grapevine and Sunrise discussion and review of Issues Agreed To and Issues yet To Be Resolved.

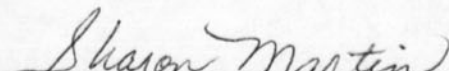
Regular Meeting 7:00 p.m.

5. Voting for new Planning Commission Chair
6. Call to Order
7. Pledge of Allegiance
8. Roll Call
9. Declaration of Abstentions and Conflicts by Commission Members, if any
10. Consent Agenda
 - Tonight's Agenda
11. Minutes of January 4, 2012 Planning Commission Meeting and February 1, 2012 work meeting.
12. Announcements
13. Review, Discussion & possible recommendation for approval of the Silver Pointe Estates Final Plat Map of Phase 1 and Preliminary Plat Map of Phase 2.
14. Discussion and possible recommendation for the Grapevine Final Development Plan
15. Discussion on the Sign Ordinance
16. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted February 13, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leadstown.org, and Spectrum Newspaper



Sharon Martin, Clerk / Recorder

TOWN OF LEEDS PLANNING COMMISSION MEETING

February 15, 2012

MINUTES

WORK MEETING

1. **Call to Order** – by at 6:14 p.m.
2. **Swearing in** of new Planning Commissioner Diane Burton and Alternative Planning Commissioner Don Likens. Was tabled until Regular Meeting session.
3. **Roll Call** - Present were Commissioners Ray Beal, Alex Beal, Diane Burton, Bill Lytle and Alternate Commissioner Don Likens. Also in attendance were Leeds Contract Planner Bob Nicholson, Sunrise Engineer Russ Funk, Grapevine Representative Drake Howell, and Clerk/Recorder Sharon Martin.
4. **Grapevine and Sunrise discussion and review of Issues Agreed To and Issues yet To Be Resolved.**

RESOLVED

- i. **Parking.** Single-family and duplexes required 2 parking spaces per unit per section 6.4.3 of the Leeds Zoning Code. No on-street parking counts toward this requirement; except for multifamily and mixed-use areas, on a case-by-case basis. Multi-family and mixed use development applications will include a parking analysis to be approved by Leeds town.
- ii. **Setbacks.** Leeds Code regulations state the requirements are a minimum of ten (10) feet for multi-family and mixed use applicants for rear setback per unit. If garage has no alley the requirements are six (6) feet set back. If the garage backs with an alley, the requirements are four (4) feet set back. GVW will conform to Leeds Codes.
- iii. **Lot sizes.**
- iv. **Building heights.** Two stories or higher will go Town Council for approval.
- v. **No gravel parking.** Parking lanes will not be surfaced with gravel.
- vi. **Pervious pavement:** No pervious pavement due to on-going maintenance concerns and costs. Pervious pavement is not recommended for arid, windy areas.
- vii. **Storm drains** Need drainage system including curb and gutter where appropriate. Grapevine has a buffet of curb types (Horrocks Standards memo revised January 4, 2012) to be selected by the design engineer preparing construction drawings. Town reserves the right to require one type of curb over the other or other drainage facilities if it is determined to be in the best interest of the Town.
- viii. **Curb types** to be approved by Sunrise Engineering.
- ix. **Street signals spaces** Signal spacing should be a minimum of 1,320 ft.
- x. **Intersection angles** Town encourages intersections at 90 degrees but may on a case-by-case basis provide an exception of less than 90 degrees but no less than 75 degrees.
- xi. **One way streets.** There are no true one-way streets in Grapevine. The one-way thoroughfares are really two-way streets with an extra wide landscaped median. Grapevine has submitted modified one-way cross sections to include additional pavement width which would allow for emergency vehicle access.
- xii. **Pavement width** Minimum 20' clear travel way on public thoroughfares. Alley's are narrower, except when there is no public thoroughfare frontage—in this case the alley is has 20' clear travel way.

YET TO BE RESOLVED

- i. **Enclosed Parking.** Leeds' Ordinances state that Single Family dwellings will have two fully enclosed parking spaces. Grapevine would like to come before Town Council for an exception to this ordinance and grant approval for alternative parking. That alternative would be a covered carport. Grapevine requests the flexibility not just for carports, but for open (non-covered) parking spaces, particularly in the Mixed Use areas. A conversation ensued regarding the pros and cons of covered parking versus carports. Grapevine Representative Drake Howell responded that carports are a design trend and is more affordable and is unique to (TND) Traditional Neighborhood Design. Further, Howell said this type of parking will be identified with Leeds' codes and will be taken for approval down the road.
- ii. **Roadway Angles.** Mr. Funk stated Roadway Angles will need modifications.
- iii. **Drainage Systems.** Drainage systems will also need modifications.
- iv. **Cross Section.** Sunrise has concerns, in particular, the accessibility for emergency vehicles.
- v. **Lane " thoroughfare .** Town staff has previously recommended the deletion of the "Lane" thoroughfare. However, Grapevine respectfully requests the town allow the use of the "Lane" in single-family and single-family estate neighborhoods as modified. These neighborhoods typically generate low volume (<2,000) average daily trips on the "Lane".
- vi. **Driveway Widths.** Leeds requires twelve (12) feet for single family residences and twenty-four (24) feet for multi-family residences, whereas Grapevine is asking for ten (10) feet and eighteen (18) feet, respectively.
- vii. **Design Speed.** Sunrise Engineer Russ Funk said they were still not ready to agree on the design speed. Both Sunrise and Legal Counsel Heath Snow agreed with 25 MPH, even if it is posted otherwise. GVW proposes 20 MPH.
- viii. **Street Signs.** Mr. Funk commented that they should be higher. Standard development criteria because of safety.
- ix. **Uniform Traffic Design.** It was recommended that it be posted at roundabout 20 MPH.

Grapevine Representative Drake Howell responded that there are only a few loose ends at this point and proposed that the Planning Commission make a recommendation to the Town Council to approve or deny Grapevine's Final Plan with Conditions of Staff Report recommendation #3 Street Design;

Street designs which are different than those set forth in the Leeds Standard Specification for Design and Construction shall be approved by the Leeds Town Council, after hearing the recommendation from the Planning Commission and the Leeds Town consulting engineers.

Mr. Howell further proposes that Grapevine's Final Plan be forwarded to Town Council. He said they would like to start a dialogue with Town Council next week, like they have with the Planning Commission, while ironing out Street Design issue. Howell said he would like to come back in March to the Planning Commission and address these Street Design issues.

Sunrise Engineer Russ Funk and Leeds Contract Planner Bob Nicholson agrees to go forward with the approval for Master Plan with exceptions discussed tonight.

REGULAR MEETING

1. **Voting for new Planning Commission Chair** Was tabled until next Planning Commission meeting.
2. **Call to Order** – By Commissioner Bill Lytle at 7:19 p.m.
3. **Swearing in** of new Planning Commissioner Diane Burton and Alternative Planning Commissioner Don Likens.
4. **Pledge of Allegiance** – was led by Commissioner Bill Lytle

5. **Roll Call** - Present were Commissioners Ray Beal, Alex Beal, Diane Burton, Bill Lytle and Alternate Commissioner Don Likens. Also in attendance were Leeds Contract Planner Bob Nicholson, Sunrise Engineer Russ Funk, Grapevine Representative Drake Howell and Clerk/Recorder Sharon Martin.
6. **Declaration of Abstentions and Conflicts by Commission Members** – None
7. A **Motion** was made by Commissioner Alex Beal with a **second** by Commissioner Diane Burton to **Accept the Consent Agenda including Planning Commission Meeting Minutes of January 4, 2012**. An **Aye** vote was **Unanimous**.
8. **Announcements** – There were none.
9. **Review, Discussion & possible recommendation for approval of the Silver Pointe Estates Final Plat Map of Phase I and Preliminary Plat Map of Phase II**. Kade Bringhurst, representative for Silver Pointe Estates addressed the Planning Commission regarding Phase I to 22 lots and Phase II of 23 lots. The Town has previously approved a Final Plat for 45 lots. He is requesting an Amendment to this Plat because of slow down in the economy. He is asking for an approval for an Amendment of Final Plat of 22 lots and also issue a Preliminary Plat for the remainder 23 lots. This is two separate applications.

PHASE I

Sunrise Engineer Russ Funk responded to this request, stating that the following issues need to be addressed before an approval could be made:

- i. Boundary description was found to be close to satisfactory.
- ii. Names of Streets need to be labeled on Plat
- iii. Existing Sewer/Water Main need to be listed on Plat, even if it is part of a dry sewer system.
- iv. List Utilities providers on Plat
- v. Show how street tie in with existing roads on the Plat, specifically the UDOT right-of-way.
- vi. It was recommended that the radius of curve C60 be adjusted to meet the requirements based on the design speed for the proper road classification as designated in the Leeds Master Plan.
- vii. Recommends size change on Roundabout. Funk stated the current design is undersized.
- viii. Road to Cemetery. The developer should ensure that all of the original cemetery parcel is included within the right-of-way boundary to be dedicated to the town of Leeds to ensure the entire parcel remains under the ownership of the Town.
- ix. Bonanza Flat Road is to be realigned and constructed over a portion of the existing cemetery parcel. Mr. Funk recommended that the Town coordinate with the Town Attorney to ensure all applicable laws and rules are followed.
- x. Developer will assume all risk associated with the potential of covering unmapped graves or other items of cultural or historic significance.
- xi. It is recommended that the negotiations with the landowners on Silver Reef road on the east of the roundabout be done to acquire the full right-of-way width for Silver Reef Road. At minimum, a half-width road should be constructed.
- x. The Final Plat needs to include all hazards applicable to this phase of the development.
- xi. Flood Hazard areas need to be mapped on the Final Plat.
- xii. Requirements that state the Final Plat shall show everything required on the all on Preliminary Plat; sections 21.7.1, 21.6.1.4, 21.6.2.2 and 21.6.2.5.

Mr. Funk called out issues from Sunrise Engineering's letter dated 1/26/12, that are of biggest concern are items, 2,5,6, 8, 9, 12, 14 and 15. He said the size change on Roundabout need to be addressed prior to approval because it will affect the legal description to be recorded on the plat.

Mr. Bringhurst requested an approval with the conditions that all recommendations are met.

Commissioner Ray Beal made a **motion to recommend to Town Council approval of Silver Pointe Estates Amendment of Final Plat Map (Phase I), with Conditions that Sunrise's recommendations #'s 2,5,6,8,9,12,14, and 15 are met**. Commissioner Alex Beal seconded the **motion**. An **Aye** vote was **Unanimous**.

It was agreed that Sunrise Engineer Russ Funk and Kade Bringhurst, representative for Silver Pointe Estates will work together on these issues.

PHASE II

Sunrise Engineer Russ Funk responded that the Preliminary Plan was ready for approval with the following exceptions:

- i. #2 of Sunrise's letter dated 1/26/12 needs to be addressed.

There was a question raised about the old mine and any liability that the Town would be under for this area. Kade Bringhurst stated that this would be designated as open space. He said that there would be no public entrance. He also said that it will be fenced off, owned by Association and cannot be disturbed.

- ii. Mr. Funk recommended that remaining issues can be addressed in Final Plat.
- iii. #6 of Sunrise's letter dated 1/26/12 needs additional information regarding Soils Report and Drainage Plan can be addressed at a later date.
- iv. Mr. Funk recommended that the final Geotechnical report be prepared and any geotechnical and/or flood hazards be listed on the Final Plat.

A **Motion** was made by Commissioner Diane Burton made with a **second** by Don Likens to **approve Silver Pointe Estates Preliminary Plat Map of Phase II with conditions met before the Final Plat.** An **Aye** vote was **Unanimous**.

10. **Discussion and possible recommendation for the Grapevine Final Development Plan** Leeds Contract Planner Bob Nicholson gave a review and recommendation for the Grapevine project. He stated that Grapevine Wash (GW) is a proposed large mixed use development in the eastern portion of Leeds, with 2,500 proposed dwelling units on 255 acres, and 300,000 sq. ft. of commercial floor space, along with other civic and institutional land uses.

RECOMMENDATIONS from Leeds Contract Planner Bob Nicholson

1. Compliance with all Leeds Town codes, unless a specific waiver or variance is granted by the Town Council.
2. All utilities, including water, wastewater, storm drainage, electric power, natural gas, telephone, and similar utilities shall comply with local and state standards.
3. Street designs which are different than those set forth in the Leeds Standard Specification for Design and Construction shall be approved by the Leeds Town Council, after hearing the recommendation from the Planning Commission and the Leeds Town consulting engineers.
4. A Traffic Mitigation Plan shall be approved by the Town Council.
5. Gravel parking areas are not permitted. All designated parking areas shall have a hard surface consisting of either asphalt, concrete, brick pavers, or similar material approved by the Town Council.
6. All buildings shall comply with the design intent set forth in the Architectural Pattern Book for the Grapevine Wash project. All buildings which are three (3) stories or more in height shall be subject to design review by the Planning Commission prior to issuance of a building permit. The purpose of such design review is to promote compliance with the Architectural Pattern Book.
7. Parking for residential units shall comply with section 6.4.3 of the Leeds Zoning Code, unless a modification to these parking requirements is specifically approved by the Town Council.
8. Maintenance responsibility for public streets and utility systems shall be determined and approved as part of the Final Development Agreement for Grapevine Wash.
9. A second public street access is required when GW has 101 or more dwelling units, and a third public street access is required when 600 or more dwelling units have been issued building permits.
10. GW shall create a project-wide master HOA with CC&R's which creates an Architectural Review Committee for the project. The ARC shall review plans before submittal to the Planning Commission and Town Council.

Mr. Howell commented that Grapevine wants to submit for the record to the Commissioner that they are comfortable with the recommendations for approval to the Town Council with conditions submitted by staff. He thanked everyone for all the work they have done.

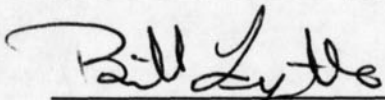
comfortable with the recommendations for approval to the Town Council with conditions submitted by staff. He thanked everyone for all the work they have done.

A **Motion** was made by Commissioner Alex Beal made with a **second** by Commissioner Ray Beal to **Make a recommendation of Grapevine Final Plan to go to Town Council with conditions and reservations that have been listed by Sunrise Engineering and Leeds Contract Planner.** An **Aye** vote was **Unanimous.**

11. Discussion on the Sign Ordinance Commissioner Bill Lytle moved that this item be tabled until next meeting. Jared Westhoff commented that more work needed to be done on the Sign Ordinance and Bob Nicholson requested that he and Westhoff work on this together.

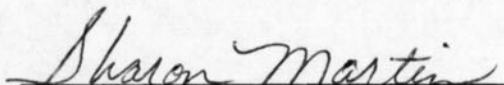
12. Adjournment by Bill Lytle at **8:30 p.m.**

APPROVED ON THE 7th DAY OF March, 2012.



Pro Tem Chair, Bill Lytle

Attest:



Clerk/Recorder, Sharon Martin

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, February 22, 2012, 7:00 p.m.
At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Town Council Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE CLERK/RECORDER BY 6:45 P.M.

BUSINESS SESSION:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from February 8, 2012 Town Council Meeting
6. Announcements:
7. Citizen Comment: *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item.*

WORK SESSION:

DISCUSSION ITEMS:

1. Heritage Trail Proposal Update. Peter Stemple presentation on proposed Education to Action Application
2. Draft Ordinance for Leeds area Cemeteries Update
3. Presentation of Grapevine's Development Plan
4. Consideration of new Planning Commission appointment

REGULAR MEETING:

PUBLIC HEARING

1. Introduction and Town Council discussion of proposed Ordinance 2012-01 Amendment And Restatement Of Chapter 21 (Subdivisions) Of The Land Use Ordinance 2008-04
2. Introduction and Town Council discussion of Ordinance 2012-02 Amendment To The Land Use Ordinance 2008-04 Adding Chapter 26 (Commercial Site Plan)
3. Introduction and Town Council discussion of proposed Ordinance 2012-03 Amendment To The Land Use Ordinance 2008-04 Amending Chapters 3, 4, 6, 7, 8, 11, 15 And 17 Of The Land Use Ordinance 2008-04 To Address Issues Related To Site Plans And Potential Conflicts Or Inconsistencies Between Such Chapters And The Proposed Chapter 26 (Commercial Site Plan)
4. Public comments on proposed Ordinance 2012-01 Amendment And Restatement Of Chapter 21 (Subdivisions) Of The Land Use Ordinance 2008-04
5. Public comments on proposed Ordinance 2012-02 Amendment To The Land Use Ordinance 2008-04 Adding Chapter 26 (Commercial Site Plan)
6. Public comments on proposed Ordinance 2012-03 Amendment To The Land Use Ordinance 2008-04 Amending Chapters 3, 4, 6, 7, 8, 11, 15 And 17 Of The Land Use Ordinance 2008-04 To Address Issues Related To Site Plans And Potential Conflicts Or Inconsistencies Between Such Chapters And The Proposed Chapter 26 (Commercial Site Plan)

ACTION ITEMS:

7. Discussion & Possible Approval on proposed Education to Action Application
8. Discussion & Possible Approval on proposed Ordinance 2012-01 Amendment And Restatement Of Chapter 21 (Subdivisions) Of The Land Use Ordinance 2008-04
9. Discussion & Possible Approval on proposed Ordinance 2012-02 Amendment To The Land Use Ordinance 2008-04 Adding Chapter 26 (Commercial Site Plan)
10. Discussion & Possible Approval on proposed Ordinance 2012-03 Amendment To The Land Use Ordinance 2008-04 Amending Chapters 3, 4, 6, 7, 8, 11, 15 And 17 Of The Land Use Ordinance 2008-04

UPDATES BY STAFF:

- 1.

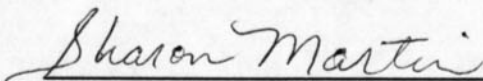
CLOSED MEETING – *A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).*

2. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted February 21, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leadstown.org, and Spectrum Newspaper



Sharon Martin, Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

February 22, 2012

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:05 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** - was led by Council Member Joe Allen.
3. **Roll Call** - Present was Mayor Alan Roberts and Council Members, Angela Rohr, Joe Allen, Nate Blake, and Frank Lojko (via Skype). Also present were Town Attorney Heath Snow, Grapevine Representative Drake Howell and Clerk/Recorder Sharon Martin.
4. **Declaration of Abstentions and Conflicts by Council Members** – None
5. **A Motion** was made by Angela Rohr with a **second** by Nate Blake to **Approve Tonight's Consent Agenda, comprising of February 22, 2012 Agenda and Minutes** of Town Council Meetings from **February 8, 2012**. An **Aye** vote was **Unanimous**.
6. **Announcements** – Terri Kane, Vice President Southwest Region, Dixie Regional CEO/Administrator, gave a presentation on the accomplishments, recognitions and services provided by Intermountain Healthcare/Dixie Regional Medical Center during 2011. She gave a summary of new projects and services. She stated that Intermountain Healthcare/Dixie Regional Medical Center currently serves five (5) counties. They are a not for profit system, not turning local residents away in need of medical help. For non-residents, they direct to urgent care facilities. She said 60% to 70% of everything they do is either Medicare or Medicaid.

Ms. Kane reiterated that their charity goes to the local community. There are two (2) Jubilee Homes, which were generated by community effort. This is a benefit to people in our community. These homes can house up to 48 people each, dealing with cancer treatments, premies or other various situations where there is a need for housing close to the hospital. These services are provided at no charge if person is unable to pay. If they do have the means, twenty-five (25) dollars are charged. Additionally, she highlighted the Life Flight helicopter, stating that it has been in operation for eleven (11) months, as well as the plan to bring a Neurosurgery facility to the area in eighteen (18) months. Ms. Kane commented that their focus on health care was having the highest quality and lowest costs. She thanked all for great community support and welcomed the community to go to their website, intermountainhealthcare.org, for any feedback or comments.

7. **Citizen Comment** - Mayor Roberts asked if there were any citizen comments. Anita Lowe, Toquerville resident, (property owner adjacent to Grapevine (GVW) addressed the Town Council, expressing her concerns regarding the GVW project, in particular, the onsite sewer plant, stating her opposition of such, as it is not "on-site" but will actually be located in Toquerville.

Ms. Lowe commented that she felt the GVW project was too large of a project to move and approve so quickly and that there are too many unknowns. She feels there are too many things being overlooked to let this Master Plan go through.

WORK SESSION:

DISCUSSION ITEMS:

1. **Heritage Trail Proposal Update. Peter Stemple presentation on proposed Education to Action Application.** Mayor Roberts gave time to Education to Action committee member, Peter Stemple to give background and asked him to let the Town know what needs to move this project forward. He directed the Town Council to a copy of an Application from Form Tomorrow, which is an application for students to come in and look at the feasibility and design with the Heritage Trail. He further commented that Mr. Stemple is looking for the Town's signature to authorize that Application.

Peter Stemple then gave an overview of Education to Action and the student's needs in this study. He said Education to Action is a program that has been running for two (2) years. They use high-level students from all over the country to do Real World work, to give them real experience, rather than just books in an educational setting. Form Tomorrow is a non-profit organization that helps students and communities. Mr. Stemple commented that they are looking for an acknowledgement, either through a motion or proclamation from the Town Council that states the Town agrees and supports the idea of the students being here and in moving forward will do whatever we can to help support their work by being available to them.

Further, Mr. Stemple stated that these students are "home stay students" and asked that the community host the students. A small stipend (\$100 per month per student) is paid to each host family. The student would pay for their own food. Transportation will be coordinated with Education to Action. He also asked the Town to provide a work space for the students. The timeframe for this project will run from approximately eight (8) to ten (10) weeks. Mayor Roberts agreed to let the students use an office in Town Hall for their studies on this project.

Mr. Stemple stated they need to get some certainty about the project moving forward by April 1, 2012; which is the drop dead date to advertise for the students in order to get them here by this summer. He said there will be no financial contribution required from the Town.

Mayor Roberts commented to the Council Members that he is looking for a verbal acceptance to make the application and asked that Legal Counsel draft a memorandum in-house expressing the Town's interest in participating. Town Attorney, Heath Snow, responded that it is not necessary to have an official resolution. He stated if the Town Council members gave the Mayor their authorization to go forward, they can then fill out this application. The Mayor commented that the Town is in favor and supports this project, and is supportive of the students using Town Hall as a work space. An **Aye** vote was **Unanimous**.

2. **Draft Ordinance for Leeds area Cemeteries Update.** Mayor Roberts announced that there was not a solid draft at this time, and tabled discussion on this Ordinance for next Town Council meeting.
3. **Presentation of Grapevine's Development Plan.** Mayor Roberts turned the time over to Grapevine Representative Drake Howell for open discussion. Mr. Howell gave a summary of Grapevine (GVW) project. He stated that Grapevine Wash is proposing a mixed use development with a series of eight (8) villages. Grapevine Wash is a project of 2,500 residential units (single family dwellings, townhomes, condominiums, and apartments and 300,500 square feet of commercial space. This will be a Traditional Neighborhood Development (TND) with most homes accessed through alleyways and garages, and there being no cul-de-sacs.

Mr. Howell stated that Grapevine's (GVW) vision is to celebrate the desert, preserving and emphasizing views, while being environmentally sensitive by reducing energy and water. Its plan is to have walkable neighborhoods, with a focus on the concepts of 'accessibility' and 'pedestrian realm' – i.e. they ensure that not only are all major local destinations accessible by walking, through a network of sidewalks and pedestrian trails or greenways, but that the quality of the walk being equally important in encouraging people to travel by foot. They will incorporate useable & enjoyable outdoor spaces, with neighborhood centers, parks and plazas, all built with aesthetic design.

Council Member Joe Allen asked Mr. Howell what the timeframe would be for this project. He responded, saying there is no exact date, that it depends on the economy, and that first they needed to establish the Master Plan. He then proposed a series of meetings and actions with Town Council to get the approval process going, with the following dates: 1.) March 14: Discussion, 2.) March 28: Public Hearing, and 3.) April 11: Town Council Final Action.

4. **Consideration of new Planning Commission appointment.** Mayor Roberts addressed the Council stating that Planning Commissioner Ray Beal had requested to serve as an Alternate Commissioner, and that Leeds resident, Jared Westhoff, had submitted an application to serve on the Planning Commission. He said Mr. Westhoff would serve out Mr. Beal's term of office. He further commented that by Leeds Ordinance it is up Town Council to either approve or deny the Mayor to make the appointment of these individuals for the Planning Commission positions mentioned.

Town Attorney Heath Snow responded that there needs to be a written resignation from Mr. Beal and his desire for reappointment as an Alternative Commissioner. Additionally, it needs to be expressed that the town is filling the unexpired term of Mr. Beal. The resignation, reappointment and appointment will be tabled until next Town Council Meeting as an Action Item.

REGULAR MEETING:

PUBLIC HEARING

A **Motion** was made by Joe Allen with a **second** by Mayor Alan Roberts to **Open a Public Hearing** to receive public comments on proposed Ordinance 2012-01 Amendment and Restatement of Chapter 21 (Subdivisions) of the Land Use Ordinance 2008-04, Ordinance 2012-02 Amendment to the Land Use Ordinance 2008-04 adding Chapter 26 (Commercial Site Plan) and Ordinance 2012-03 Amendment to the Land Use Ordinance 2008-04 Amending Chapters 3, 4, 6, 7, 8, 11, 15 and 17 of the Land Use Ordinance 2008-04 to address issues related to Site Plans and Potential Conflicts or inconsistencies between such chapters and the proposed Chapter 26 (Commercial Site Plan). An **Aye** vote was **Unanimous**.

Mayor Roberts asked for questions or comments from the public, and after receiving no response Mayor Roberts moved to close the Public Hearing. A **Motion** was made by Joe Allen with a **second** by Mayor Alan Roberts to **Close the Public Hearing**. An **Aye** vote was **Unanimous**.

1. **Introduction and Town Council discussion of proposed Ordinance 2012-01 Amendment and Restatement of Chapter 21 (Subdivisions) of the Land Use Ordinance 2008-04.** Town Attorney Heath Snow explained the changes in the Ordinance takes out any reference to Commercial, and if there are any references to Mixed Use, it refers you back to the Site Plan Ordinance.
2. **Introduction and Town Council discussion of Ordinance 2012-02 Amendment to the Land Use Ordinance 2008-04 adding Chapter 26 (Commercial Site Plan).** Town Attorney Heath Snow explained this Ordinance approves whole sale, and sets the standards and guidelines which will hold the developer to Ordinance criteria, as well as being the Town's checklist for commercial projects. It does not change zoning. It is basically the Subdivision Ordinance, but for Commercial Sites.
3. **Introduction and Town Council discussion of proposed Ordinance 2012-03 Amendment to the Land Use Ordinance 2008-04 Amending Chapters 3, 4, 6, 7, 8, 11, 15 And 17 of the Land Use Ordinance 2008-04 to address issues related to Site Plans and potential conflicts or inconsistencies between such Chapters and the Proposed Chapter 26 (Commercial Site Plan).** Town Attorney Heath Snow explained this Ordinance indicates changes that refer you back to Chapter 26, which tie back to development standards of the Site Plan Ordinance.

ACTION ITEMS:

4. Discussion & Possible Approval on proposed Ordinance 2012-01 Amendment and Restatement of Chapter 21 (Subdivisions) of the Land Use Ordinance 2008-04.

A **Motion** was made by Joe Allen with a **second** by Mayor Alan Roberts to **Approve** the proposed Ordinance 2012-01 Amendment and Restatement of Chapter 21 (Subdivisions) of the Land Use Ordinance 2008-04.

The following roll call vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER JOE ALLEN	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER ANGELA ROHR	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER NATE BLAKE	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER FRANK LOJKO	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

Proposed Ordinance 2012-01 Amendment And Restatement Of Chapter 21 (Subdivisions) of the Land Use Ordinance 2008-04) was

Approved x Rejected TABLED

5. Discussion & Possible Approval on proposed Ordinance 2012-02 Amendment to the Land Use Ordinance 2008-04 adding Chapter 26 (Commercial Site Plan).

A **Motion** was made by Joe Allen with a **second** by Nate Blake to **Approve** proposed Ordinance 2012-02 Amendment to the Land Use Ordinance 2008-04 adding Chapter 26 (Commercial Site Plan).

The following roll call vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER JOE ALLEN	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER ANGELA ROHR	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER NATE BLAKE	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER FRANK LOJKO	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

Proposed Ordinance 2012-02 Amendment to the Land Use Ordinance 2008-04 adding Chapter 26 (Commercial Site Plan) was

Approved x Rejected TABLED

7. Discussion & Possible Approval on proposed Ordinance 2012-03 Amendment to the Land Use Ordinance 2008-04 Amending Chapters 3, 4, 6, 7, 8, 11, 15 And 17 of the Land Use Ordinance 2008-04.

A **Motion** was made by Mayor Alan Roberts with a **second** by Angela Rohr to **Approve** proposed Ordinance 2012-03 Amendment to the Land Use Ordinance 2008-04 Amending Chapters 3, 4, 6, 7, 8, 11, 15 and 17 of the Land Use Ordinance 2008-04.

The following roll call vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER JOE ALLEN	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

COUNCIL MEMBER ANGELA ROHR
COUNCIL MEMBER NATE BLAKE
COUNCIL MEMBER FRANK LOJKO

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<u> </u>	<u> </u>	<u> </u>	<u> </u>

Proposed Ordinance 2012-03 Amendment
to the Land Use Ordinance 2008-04
Amending Chapters 3, 4, 6, 7, 8, 11, 15 and
17 of the Land Use Ordinance 2008-04 was

Approved x Rejected TABLED

UPDATES BY STAFF:

1.

CLOSED MEETING – A Closed Meeting was not held

13. Adjournment – by Mayor Alan Roberts at 9:02 p.m.

APPROVED ON THIS 14th DAY OF March , 2012.

Alan Roberts
Mayor Alan Roberts

Attest:

Sharon Martin
Clerk/Recorder Sharon Martin

MAR.

PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, March 7th, 2012 at 7:00 p.m.
And a work meeting at
6:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

Work Meeting: 6:00 p.m.

1. Call to Order
2. Roll Call
3. Grapevine and Sunrise continuation of discussion and review of street standards.

Regular Meeting 7:00 p.m.

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

4. Call to Order
5. Pledge of Allegiance
6. Roll Call
7. Declaration of Abstentions and Conflicts by Commission Members, if any
8. Consent Agenda
 - Tonight's Agenda
9. Minutes of February 15, 2012 Planning Commission Meeting,
10. Announcements
11. Discussion and Possible Approval of Modified Street Standards for Grapevine Development
12. Discussion on the Sign Ordinance
13. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted March 6, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper

Sharon Martin / Recorder

TOWN OF LEEDS PLANNING COMMISSION MEETING

March 7, 2012

MINUTES - AMENDED

WORK MEETING

1. **Call to Order** – By Chair Doug Erdmann at 6:08 pm
2. **Roll Call** - Present were Chair Doug Erdmann, Commissioners Ray Beal, Alex Beal, Diane Burton, Bill Lytle and Alternate Commissioner Don Likens. Also in attendance were Leeds Contract Planner Bob Nicholson, Sunrise Engineer Russ Funk, Grapevine Representative Drake Howell and Clerk/Recorder Sharon Martin.
3. **Grapevine and Sunrise continuation of discussion and review of Street Standards.** - Grapevine Representative Drake Howell gave a summary and update of the Grapevine Development discussion from the last Planning Commission Meeting held on February 15, 2012. He stated that his objective for this meeting was, in particular, to discuss conditions for approval of GVW Street Standards with recommendations of approval of such from the Planning Commission to the Town Council.

Mr. Howell touched on the thoroughfare types with cross sections, found in the GVW Pattern Book, as well as the scientific cross section sketches, which were provided to each Commissioner in their meeting packet. He stated that they would be looking for approval of the modifications which had been made, recommended by Sunrise, together with some additional street standards.

- a. The group discussed the **design speed** throughout the development. Sunrise Engineer Russ Funk stated that the design speed was not the speed limit. He further commented that the speed needs to be at a limit that is safe for the curve of the road, as well as for stopping range, especially where children might be present. Sunrise's recommendation is that of a minimum 25 mph residential and 35 mph in commercial. After some discussion, Mr. Howell responded that GVW had conceded to 25 mph in places where they had previously proposed 20 mph.

Leeds Contract Planner Bob Nicholson, recommended the speed of 30 mph on the collector roads. Mr. Funk commented that based on traffic, his recommendation is that the road speed on Main Street be set at 35 mph. GVW stood firm on their design speed of 30 mph on the Full Main Street. He stated that those 5 mph were essential to the footprint of the design plan.

Representative Drake Howell stated that they respectfully requested the Planning Commission to recommend to Town Council the following alternatives, 1) to not allow GVW to have lower target speeds, as recommended by Sunrise, or 2) to acknowledge that GVW is proposing plans that are supported by National Standards.

- b. A discussion was had on **Traditional Neighborhood Developments (TND)**. Mr. Howell commented that GVW had gone to great lengths to make this development succeed, that it was unique in nature and they had spent a lot of time and money engineering the design, using architectural guidelines to ensure success of this project. He further stated

that GVW has incorporated nationally accepted engineering standards for a safe, walkable, sustainable traditional neighborhood.

Commissioner Diane Burton commented that in her opinion the GVW project sounded great and she feels that Leeds needs a development like this to draw people here. She further commented that the location of the project was ideal, as it had easy access to the freeway.

- c. Mr. Funk raised his concern of using **Y intersection**, stating he recommends implementing a one-way street in lieu of a Y intersection. Mr. Nicholson responded that one road could be a throughway and the other road, a stop. Mr. Howell responded that a 3-way stop allows more visibility. He also added that an important element of the design was the roundabout. He further stated that they have some room to play with the design.
- d. The group further discussed **congestion of the roads** being impacted by the design and speed of the development. Mr. Howell responded that congestion would create an atmosphere for people to use the center; as they would need to drive slower, they would stop, look and utilize the Mixed Use amenities, creating a viable town center.
- e. Regarding **connecting roads**, it was discussed that they need to determine the capacity and location of the connecting road. UDOT and Leeds have a Master Plan for Roads, but at this time it is unclear where the route for the connecting road would be. RPO is requesting a proposal for a one (1) year study to see if a corridor is needed down the road and where it would be.

Mr. Funk suggested that the Town might want to create an agreement stating that if the traffic capacity exceeds the capacity of the road that GVW would have a commitment to work with the Town to create a bypass road.

Mr. Nicholson recommended that GVW use they throughway road with a 90, as recommended by Sunrise, with the possibility (if there is justification) to revisit the design at a later date, and possibly do a Y intersection.

Mr. Howell stated his recommendation would be that a Y intersection be ok'd now, but if at a later date it was determined through science and the feasibility study that there was an over load of trips, then use curve with a 90, if needed.

- f. **Intersection length** was discussed. GVW conceded to Sunrise's recommendation of 150 feet from their proposed 125 feet.

Mr. Howell reviewed some of the various changes GVW has made, as recommended by Sunrise Engineering:

- i. 150 feet intersection
- ii. Adding a 5 foot sidewalk on lane thoroughfares
- iii. Written a Traffic Mitigation Plan (which will be addressed with the Town Council)

He stated that the Town has previous acknowledged and approved the concept of the GVW Development. Further, Mr. Howell said that for GVW to be able to implement the concept of their development GVW is requesting to have the Town's approval to do the modified street standards which are supported by international standard bodies for Traditional Neighborhood Develops.

4. Adjournment by Chair Doug Erdmann at 7:26 p.m.

REGULAR MEETING

5. **Call to Order** - By Chair Doug Erdmann at 7:28 pm
6. **Pledge of Allegiance** – Was led by Commissioner Alex Beal
7. **Roll Call** - Present were Chair Doug Erdmann, Commissioners Ray Beal, Alex Beal, Diane Burton, Bill Lytle and Alternate Commissioner Don Likens. Also in attendance were Leeds Contract Planner Bob Nicholson, Sunrise Engineer Russ Funk, Grapevine Representative Drake Howell and Clerk/Recorder Sharon Martin.
8. **Declaration of Abstentions and Conflicts by Commission Members, if any** – None
9. A **Motion** was made by Commissioner Bill Lytle to approve tonight's agenda with a **second** by Commissioner Diane Burton. An **Aye** vote was **Unanimous**.
10. A **Motion** was made by Commissioner Bill Lytle to approve Minutes of February 15, 2021 Planning Commission Meeting with a **second** by Commissioner Diane Burton. It was noted that Town Attorney Heath Show was not in attendance at the February 15, 2021 Planning Commission Meeting and his name be stricken from the minutes as attending. An **Aye** vote was **Unanimous**.
11. **Announcements** - None
12. **Discussion and Possible Approval of Modified Street Standards for Grapevine Development** – Sunrise Engineer Russ Funk, discussed issues dealing with the Street Standards for Grapevine Development:
 - a. **Intersection Spacing** Grapevine Development Representative Drake Howell discussed the Intersection Spacing in the range of 100 to 150 feet. The revised typical sections include a note stating "Intersections Spaced at 150 feet or more can have full vehicle movements, intersection spaced less than 150 feet will have restricted movements and are subject to final approval during the design review process." The existing Leeds street design standards for intersection spacing range from 150 feet minimum for standard residential streets to 500 feet for minor arterials. Sunrise originally recommended that the existing intersection standards be followed and stated that shorter spacing could be approved for low volume residential roads, but not for commercial or other road types. With the comment in the current proposed standards requiring approval of any spacing less than 150 feet, the major concerns have been mitigated.

A **Motion** was made by Commissioner Bill Lytle with a **second** by Commissioner Diane Burton to **Recommend** to the Town Council **Approval** to the intersection spacing language as found in a note on the Grapevine typical thoroughfare cross-sections. An **Aye** vote was **Unanimous**.
 - b. **Sidewalk as Part of "Lane" Thoroughfare (Typical Sections)** The typical sections as proposed by Grapevine Wash, include numerous cross sections which are not consistent with the existing Leeds Town Standards. Each of the cross sections (with the exception of private alleys and landscape ways) include sidewalk on at least one side of the thoroughfare. However, the sidewalks on the "Main Street" thoroughfares are outside of the proposed ROW. The existing Leeds street design standards include four types of roads including: 1) Asphalt roads with curb, gutter, and sidewalk; 2) Asphalt roads without curb, gutter, or sidewalk but with a parking shoulder and drainage channels. ROW widths vary from 55 feet for residential, to 66 feet for collectors and arterials.

Sunrise recommends that separate facilities be provided for pedestrians. It is not recommended that pedestrians share the travel lane with vehicles. If sidewalks on the "Main Street" thoroughfares are not included in the ROW, then at minimum, language should be included in that prohibits structures to be constructed in the area of the permanent utility easement that should be required in this area. Sunrise recommends that the Typical Sections are not approved, but that this be considered at a later date following decisions on the other items currently being considered.

Grapevine recommends approving the Grapevine typical thoroughfare cross-sections which show a sidewalk added to the "Lane" thoroughfare. Mr. Funk agreed that if a sidewalk is added it would probably be mitigated.

- c. **Traffic Mitigation Plan.** Grapevine Representative Drake Howell stated that Grapevine Wash was not responsible for the four-way interchange, but would contribute proportionally based on their development. Mr. Howell reiterated that Grapevine would support whatever the Town wants, but proportionally with the cost, and stressed that timing was important for the Town to go forward.

It was discussed that UDOT needs to be approached now for funding of the interchange, as it could take years for the funding to pass and be implemented. Mr. Howell stressed that the Town can do a lot politically to push for the funding. It was further discussed to establish a committee to study and promote the feasibility/need of a new Leeds freeway interchange. The Planning Commission made no recommendation regarding the details of the Grapevine Traffic Mitigation Plan but voted to forward the plan on to the Town Council to be evaluated, thereby creating a committee consisting of developers and town residents to get UDOT going, and make it a priority.

A **Motion** was made by Commissioner Bill Lytle with a **second** by Commissioner Alex Beal to **Recommend** that the Town Council establish a committee to study and promote the feasibility/need of a new Leeds freeway interchange, creating a Traffic Mitigation Plan for Leeds and surrounding areas. An **Aye** vote was **Unanimous**.

- d. **Expiration of Exception to Standards.** It was proposed by Mr. Funk that exceptions to standards are not subject to approval expiration. Sunrise recommends that approvals for exceptions to the Town's standards be subject to a time constraint or expiration date. In the event that no progress is made on the development within the time granted, this would allow the Town the option of extending approvals or revoking them based on changes in design standards and practices. It is also recommended that the Town include language in the development agreement stating that any deviations from the standards which are not clearly stated as approved exceptions would not be allowed. It is suggested by Sunrise that 10 years be the maximum approval period granted.

A **Motion** was made by Commissioner Bill Lytle with a **second** by Commissioner Ray Beal to **Recommend** to the Town Council that an expiration of 20 years be established for exceptions to standards, in that Grapevine agrees to a revocation of standards exceptions only if there is a bona fide threat to the public health and safety or a change to standards beyond the control of the Town and which threat represents a "compelling and countervailing" public interest" as such term is used in the Utah Land Use Development and Management Act. An **Aye** vote was **Unanimous**.

- e. **Through Street at Main "Y" Intersection.** Grapevine Wash proposes a 3 way stop controlled "Y" intersection at the main intersection in Village A. There are no clear standard on "Y" intersections, but current standards encourage intersections at 90 degree angles, and allow for intersections less than 90 degrees to be approved on a case by case basis with a minimum of 75 degrees. Sunrise recommends that the 2 lanes with the most traffic be designated as the through street. It is not recommended that the Master

Planned Road (Leeds Master Plan) between Leeds and Toquerville be routed through a "Y" intersection at this location. The expected traffic for this master planned road is unknown, but will be the subject of a study which was recently approved to be funded by the State.

A **Motion** was made by Commissioner Bill Lytle with a **second** by Chair Doug Erdmann to **Recommend** to the Town Council **Approval** to keep the prominent "Y" intersection at Grapevine's town core. Grapevine agrees to work collaboratively with the RPO in its feasibility study of a new transportation corridor between Leeds and Toquerville. If it is determined through the study that sufficient traffic may be generated along this corridor to exceed the capacity of the roadway, then Grapevine Wash will work with the RPO and Town in mitigating this intersection, if needed. An **Aye** vote was **Unanimous**.

- f. **Design Speed.** A discussion was had on the design speed throughout the development. Both Sunrise and Grapevine agreed on a design speed of 25 mph on all streets except for Full Main Street. It was debated whether the development should have in place 35 mph or 30 mph speeds. Sunrise recommends 35 mph, whereas Grapevine is firm with 30 mph, as the greater the speed, the wider the radius of the curves need to be, thereby taking up more land for the street design from building structure space. It was agreed that the Full Main Street shall have design speed of 30 mph.

A **Motion** was made by Commissioner Ray Beal with a **second** by Commissioner Bill Lytle to **Recommend** to the Town Council that a Design speed of 25 mph on all streets except for Full Main Street which shall have design speed of 30 mph. Exception to this rule is the Landscape Way and Residential Way at entrance to Grapevine—these two thoroughfares in this location will have design speed of 30 mph to match with the adjacent Full Main Street. An **Aye** vote was **Unanimous**.

- g. **Street Cross Sections.**

A **Motion** was made by Commissioner Bill Lytle with a **second** by Commissioner Diane Burton to **Recommend** to the Town Council that we accept the language on the cross sections that we stated earlier and that goes along with the 150 foot intersections spacing and one ways with restricted movement which was stated earlier. An **Aye** vote was Unanimous.

A **Motion** was made by Commissioner Ray Beal with a **second** by Commissioner Bill Lytle to **Recommend** to the Town Council the approval of the submitted proposed cross sections with the conditions from the previous motions. An **Aye** vote was **Unanimous**.

13. **Discussion on the Sign Ordinance** – Chair Erdmann moved that this item be tabled until next meeting. Bob Nicholson commented that he and Jared Westhoff were still working on the changes of the Ordinance, stating that it was in need of changes to the Standards, as well as formatting changes to make it more understandable.

14. **Adjournment** by Chair Doug Erdmann at **9:07 p.m.**

APPROVED ON THE 1st DAY OF August, 2012.

Bill Lytle
Chair-Pro Temp Bill Lytle

Attest:

Amy Fisher

Clerk/Recorder, Amy Fisher*

NOTE* Clerk/Recorder, Sharon Martin, prepared these minutes, but has since resigned. Clerk/Recorder, Amy Fisher has amended these minutes and attests to the above signature.

PUBLIC NOTICE
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And a work meeting at
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Sharon Martin / Recorder

TOWN OF LEEDS PLANNING COMMISSION MEETING

March 7, 2012

MINUTES

WORK MEETING

1. **Call to Order** – By Chair Doug Erdmann at 6:08 pm
2. **Roll Call** - Present were Chair Doug Erdmann, Commissioners Ray Beal, Alex Beal, Diane Burton, Bill Lytle and Alternate Commissioner Don Likens. Also in attendance were Leeds Contract Planner Bob Nicholson, Sunrise Engineer Russ Funk, Grapevine Representative Drake Howell and Clerk/Recorder Sharon Martin.
3. **Grapevine and Sunrise continuation of discussion and review of Street Standards.** - Grapevine Representative Drake Howell gave a summary and update of the Grapevine Development discussion from the last Planning Commission Meeting held on February 15, 2012. He stated that his objective for this meeting was, in particular, to discuss conditions for approval of GVW Street Standards with recommendations of approval of such from the Planning Commission to the Town Council.

Mr. Howell touched on the thoroughfare types with cross sections, found in the GVW Pattern Book, as well as the scientific cross section sketches, which were provided to each Commissioner in their meeting packet. He stated that they would be looking for approval of the modifications which had been made, recommended by Sunrise, together with some additional street standards.

- a. The group discussed the **design speed** throughout the development. Sunrise Engineer Russ Funk stated that the design speed was not the speed limit. He further commented that the speed needs to be at a limit that is safe for the curve of the road, as well as for stopping range, especially where children might be present. Sunrise's recommendation is that of a minimum 25 mph residential and 35 mph in commercial. After some discussion, Mr. Howell responded that GVW had conceded to 25 mph in places where they had previously proposed 20 mph.

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Representative Drake Howell stated that they respectfully requested the Planning Commission to recommend to Town Council the following alternatives, 1) to not allow GVW to have lower target speeds, as recommended by Sunrise, or 2) to acknowledge that GVW is proposing plans that are supported by National Standards.

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that GVW has incorporated nationally accepted engineering standards for a safe, walkable, sustainable traditional neighborhood.

Commissioner Diane Burton commented that in her opinion the GVW project sounded great and she feels that Leeds needs a development like this to draw people here. She further commented that the location of the project was ideal, as it had easy access to the freeway.

- c. Mr. Funk raised his concern of using **Y intersection**, stating he recommends implementing a one-way street in lieu of a Y intersection. Mr. Nicholson responded that one road could be a throughway and the other road, a stop. Mr. Howell responded that a 3-way stop allows more visibility. He also added that an important element of the design was the roundabout. He further stated that they have some room to play with the design.
- d. The group further discussed **congestion of the roads** being impacted by the design and speed of the development. Mr. Howell responded that congestion would create an atmosphere for people to use the center; as they would need to drive slower, they would stop, look and utilize the Mixed Use amenities, creating a viable town center.
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4. Adjournment by Chair Doug Erdmann at 7:26 p.m.

REGULAR MEETING

5. **Call to Order** - By Chair Doug Erdmann at 7:28 pm
6. **Pledge of Allegiance** – Was led by Commissioner Alex Beal
7. **Roll Call** - Present were Chair Doug Erdmann, Commissioners Ray Beal, Alex Beal, Diane Burton, Bill Lytle and Alternate Commissioner Don Likens. Also in attendance were Leeds Contract Planner Bob Nicholson, Sunrise Engineer Russ Funk, Grapevine Representative Drake Howell and Clerk/Recorder Sharon Martin.
8. **Declaration of Abstentions and Conflicts by Commission Members, if any** – None
9. A **Motion** was made by Commissioner Bill Lytle to approve tonight's agenda with a **second** by Commissioner Diane Burton. An **Aye** vote was **Unanimous**.
10. A **Motion** was made by Commissioner Bill Lytle to approve Minutes of February 15, 2021 Planning Commission Meeting with a **second** by Commissioner Diane Burton. It was noted that Town Attorney Heath Snow was not in attendance at the February 15, 2021 Planning Commission Meeting and his name be stricken from the minutes as attending. An **Aye** vote was **Unanimous**.
11. **Announcements** - None
12. **Discussion and Possible Approval of Modified Street Standards for Grapevine Development** – Sunrise Engineer Russ Funk, discussed issues dealing with the Street Standards for Grapevine Development:
 - a. **Intersection Spacing** Grapevine Development Representative Drake Howell discussed the Intersection Spacing in the range of 100 to 150 feet. The revised typical sections include a note stating "Intersections Spaced at 150 feet or more can have full vehicle movements, intersection spaced less than 150 feet will have restricted movements and are subject to final approval during the design review process." The existing Leeds street design standards for intersection spacing range from 150 feet minimum for standard residential streets to 500 feet for minor arterials. Sunrise originally recommended that the existing intersection standards be followed and stated that shorter spacing could be approved for low volume residential roads, but not for commercial or other road types. With the comment in the current proposed standards requiring approval of any spacing less than 150 feet, the major concerns have been mitigated.

A **Motion** was made by Commissioner Bill Lytle with a **second** by Commissioner Diane Burton to **Recommend** to the Town Council **Approval** to the intersection spacing language as found in a note on the Grapevine typical thoroughfare cross-sections. An **Aye** vote was **Unanimous**.
 - b. **Sidewalk as Part of "Lane" Thoroughfare (Typical Sections)** The typical sections as proposed by Grapevine Wash, include numerous cross sections which are not consistent with the existing Leeds Town Standards. Each of the cross sections (with the exception of private alleys and landscape ways) include sidewalk on at least one side of the thoroughfare. However, the sidewalks on the "Main Street" thoroughfares are outside of the proposed ROW. The existing Leeds street design standards include four types of roads including: 1) Asphalt roads with curb, gutter, and sidewalk; 2) Asphalt roads without curb, gutter, or sidewalk but with a parking shoulder and drainage channels. ROW widths vary from 55 feet for residential, to 66 feet for collectors and arterials.

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Grapevine recommends approving the Grapevine typical thoroughfare cross-sections which show a sidewalk added to the "Lane" thoroughfare. Mr. Funk agreed that if a sidewalk is added it would probably be mitigated.

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It was discussed that UDOT needs to be approached now for funding of the interchange, as it could take years for the funding to pass and be implemented. Mr. Howell stressed that the Town can do a lot politically to push for the funding. It was further discussed to establish a committee to study and promote the feasibility/need of a new Leeds freeway interchange. The Planning Commission made no recommendation regarding the details of the Grapevine Traffic Mitigation Plan but voted to forward the plan on to the Town Council to be evaluated, thereby creating a committee consisting of developers and town residents to get UDOT going, and make it a priority.

A **Motion** was made by Commissioner Bill Lytle with a **second** by Commissioner Alex Beal to **Recommend** that the Town Council establish a committee to study and promote the feasibility/need of a new Leeds freeway interchange, creating a Traffic Mitigation Plan for Leeds and surrounding areas. An **Aye** vote was **Unanimous**.

- d. **Expiration of Exception to Standards.** It was proposed by Mr. Funk that exceptions to standards are not subject to approval expiration. Sunrise recommends that approvals for exceptions to the Town's standards be subject to a time constraint or expiration date. In the event that no progress is made on the development within the time granted, this would allow the Town the option of extending approvals or revoking them based on changes in design standards and practices. It is also recommended that the Town include language in the development agreement stating that any deviations from the standards which are not clearly stated as approved exceptions would not be allowed. It is suggested by Sunrise that 10 years be the maximum approval period granted.

A **Motion** was made by Commissioner Bill Lytle with a **second** by Commissioner Ray Beal to **Recommend** to the Town Council that an expiration of 20 years be established for exceptions to standards, in that Grapevine agrees to a revocation of standards exceptions only if there is a bona fide threat to the public health and safety or a change to standards beyond the control of the Town and which threat represents a "compelling and countervailing" public interest" as such term is used in the Utah Land Use Development and Management Act. An **Aye** vote was **Unanimous**.

- e. **Through Street at Main "Y" Intersection.** Grapevine Wash proposes a 3 way stop controlled "Y" intersection at the main intersection in Village A. There are no clear standard on "Y" intersections, but current standards encourage intersections at 90 degree angles, and allow for intersections less than 90 degrees to be approved on a case by case basis with a minimum of 75 degrees. Sunrise recommends that the 2 lanes with the most traffic be designated as the through street. It is not recommended that the Master

Planned Road (Leeds Master Plan) between Leeds and Toquerville be routed through a "Y" intersection at this location. The expected traffic for this master planned road is unknown, but will be the subject of a study which was recently approved to be funded by the State.

A **Motion** was made by Commissioner Bill Lytle with a **second** by Chair Doug Erdmann to **Recommend** to the Town Council **Approval** to keep the prominent "Y" intersection at Grapevine's town core. Grapevine agrees to work collaboratively with the RPO in its feasibility study of a new transportation corridor between Leeds and Toquerville. If it is determined through the study that sufficient traffic may be generated along this corridor to exceed the capacity of the roadway, then Grapevine Wash will work with the RPO and Town in mitigating this intersection, if needed. An **Aye** vote was **Unanimous**.

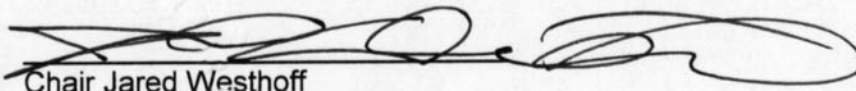
- f. **Design Speed.** A discussion was had on the design speed throughout the development. Both Sunrise and Grapevine agreed on a design speed of 25 mph on all streets except for Full Main Street. It was debated whether the development should have in place 35 mph or 30 mph speeds. Sunrise recommends 35 mph, whereas Grapevine is firm with 30 mph, as the greater the speed, the wider the radius of the curves need to be, thereby taking up more land for the street design from building structure space. It was agreed that the Full Main Street shall have design speed of 30 mph.

A **Motion** was made by Commissioner Ray Beal with a **second** by Commissioner Bill Lytle to **Recommend** to the Town Council that a Design speed of 25 mph on all streets except for Full Main Street which shall have design speed of 30 mph. Exception to this rule is the Landscape Way and Residential Way at entrance to Grapevine—these two thoroughfares in this location will have design speed of 30 mph to match with the adjacent Full Main Street. An **Aye** vote was **Unanimous**.

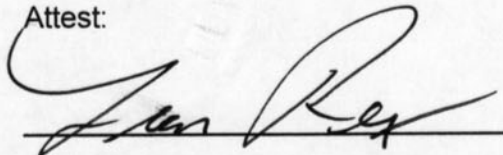
13. Discussion on the Sign Ordinance – Chair Erdmann moved that this item be tabled until next meeting. Bob Nicholson commented that he and Jared Westhoff were still working on the changes of the Ordinance, stating that it was in need of changes to the Standards, as well as formatting changes to make it more understandable.

14. Adjournment by Chair Doug Erdmann at **9:07 p.m.**

APPROVED ON THE 2 DAY OF May, 2012.


Chair Jared Westhoff

Attest:



Deputy Clerk/Recorder, Fran Rex*

NOTE* Clerk/Recorder, Sharon Martin, prepared these minutes, but has since resigned. Deputy Clerk/Recorder Fran Rex attests to the above signature

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, March 14, 2012, 7:00 p.m.

And a work meeting at **6:00 p.m.**

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

Work Meeting: 6:00 p.m.

1. Call to Order
2. Roll Call
3. Planning Commission Members Training Session.

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from February 22, 2012 Town Council Meeting
6. Announcements:
7. Citizen Comment: *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item.*

WORK SESSION:

DISCUSSION ITEMS:

1. Draft Ordinance for Leeds area Cemeteries Update
2. Access Management Plan
3. RTAC. Roadway Issues
4. Consideration and possible approval of Final Development Plan for Grapevine.
5. Discussion of Planning Commission resignation and appointment of Commissioner and Alternate Commissioner.
6. Discussion on Annexation Resolution with Toquerville and Leeds for Washington County Water Conservancy District land (located at the Sullivan Wells and adjacent to BLM Land).

REGULAR MEETING:

ACTION ITEMS:

1. Discussion and possible approval for expenditures for R & B Surveying Proposal for providing boundary survey of Center Street Westerly of Main Street.
2. Appointment for Planning Commissioner and Alternate Commissioner.
3. Washington County Solid Waste – Town Council Representation – Resolution or Motion for Appointment

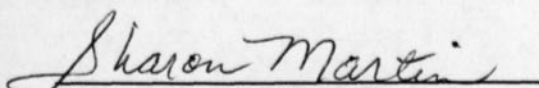
UPDATES BY STAFF:

4.

CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).

5. Adjournment

Compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.
Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted March 12, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pnm.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper


Sharon Martin, Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

March 14, 2012

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:02 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** - was led by Council Member Frank Lojko.
3. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Angela Rohr, Joe Allen, Nate Blake, and Frank Lojko. Also in attendance were Grapevine Representative Drake Howell, Sunrise Engineer Russ Funk, Leeds Contract Planner Bob Nicholson and Clerk/Recorder Sharon Martin.
4. **Declaration of Abstentions and Conflicts by Council Members** – None
5. **A Motion** was made by Nate Blake with a **second** by Joe Allen to **Approve Tonight's Consent Agenda, comprising of March 14, 2012 Agenda and Minutes** of Town Council Meetings from **February 22, 2012**. An **Aye** vote was **Unanimous**.
6. **Announcements** – None
7. **Citizen Comment** - None

WORK SESSION:

DISCUSSION ITEMS:

1. **Draft Ordinance for Leeds area Cemeteries Update.** Mayor Roberts announced that he was still holding off on the draft for the cemetery ordinance. He stated that the Council had talked about this in January and the Councilmembers had received two (2) potential rough drafts, which he would like to combine the good parts from each of them. This item was tabled for a future Town Council meeting.
2. **Access Management Plan** Mayor Roberts expressed the need to proactively develop an Access Development Plan for the Town of Leeds. Currently, Leeds is a member of the East Washington County Transportation Committee. He further explained that in order to qualify for COG funding to help in roadway needs, the town is required to have an Access Development Plan. UDOT wants municipalities to have valid access management to their roadways. The access plan that interacts with UDOT is only for roads that UDOT own. A copy of Hurricane City's Access Development Plan was enclosed in the meeting packets and reviewed, as an example only. It was suggested that a committee be formed to create the Town's Plan. Mayor Roberts asked Council Member Joe Allen to spearhead the drafting of the Access Development Plan. He told Allen if he had any questions regarding putting together this plan that he could go to the Town's Engineers, and further stated that Council Member Frank Lojko is in charge of roads and would be a good source for information. Mayor Roberts said he would get some contacts from UDOT which would be supportive in helping to answer some of his questions. He said the timeframe for this project is sixty (60) days. Council Member Nate Blake said he would help Mr. Allen in this endeavor. Leeds Contract Planner Bob Nicholson said Leeds will need to modify their plan from Hurricane's guidelines. Frank Lojko commented that Drake Howell might be one to give input as Grapevine Wash Development might be impacted by this plan.

Mayor Roberts mentioned that Toquerville has quite a bit of property for the corridor. He also stated that this Plan would encompass the whole town, not just UDOT specs.

3. **RTAC. Roadway Issues** Mayor Roberts explained a role of RTAC was to look at safety concerns with UDOT roads. He said the largest concern for Leeds is Main Street and the on and off ramps and split interchange. He mentioned that six (6) years ago there was a UDOT meeting in Town and at that time the biggest concern was the interchange. He commented that there would be an RTAC meeting held in Town Hall on April 26, 2012. Ange Rohr said she would like to attend the meeting. A discuss was had on the construction of the interchange, north and south. Frank Lojko said that the south bound interchange would be the least expensive, with the possibility of costing 5-6 million dollars to create the ramp. Further stated was that the Town needed to express to UDOT where it would make the most sense to put an interchange. Mayor Roberts said Leeds is interested and supportive of connectivity with Leeds and Toquerville and Leeds and Hurricane, and said they needed to ask the State if they could safely finish off the interchange that currently exists and make that a full interchange in a safe manner. He further stated that we need to not only look at the amount of traffic, but look at how safe the off ramp is that comes north onto Main Street. It was noted that the North off ramp is a safety concern.
4. **Consideration and Discussion of the Development Plan for Grapevine.** Mayor Roberts turned the time over to Grapevine Representative Drake Howell and asked that this discussion be interactive with Sunrise Engineering Russ Funk and Leeds Contract Planner Bob Nicholson, suggesting that they make the discussion a collaborative effort between them.

Council Member Allen questioned Mr. Howell as to why GVW was being built as a Traditional Neighborhood Development (TND) and not by Leeds' standards. Mr. Howell responded that the TND is designed to have something for everyone demographically. Mr. Allen questioned Mr. Howell regarding the steps that were being taken to ensure that GVW would not be a repeat of Elim Valley, wherein they incurred financial problems and were not able to complete the project. Mr. Howell responded that the developer had not spared any money on the creation of the plan and that Elim had a lot of debt when building their community. He stated that GVW has no debt on the land and that they are more deliberate with their plan, which will allow them to weather the storm if need be. Mayor Roberts addressed that issue, stating that it is not up to a municipality to check on a project financially, but rather if the Development Plan meets the standards.

A discussion was had on whether this type of community was sustainable. Mr. Funk questioned if there would be enough jobs in the community to sustain the residents and asked if there was a home/job ratio agreement. Ange Rohr commented that retail jobs don't sustain communities. She is concerned that the close proximity of the building and small streets will impede traffic from utilizing the retail companies. Frank Lojko said one factor that will help the development is if some large corporate offices, such as high tech, insurance companies, or other professional companies needing to house their corporate headquarters come here. He then commented that another factor that will bring people to this development is that Leeds has a great location, being between St. George and Cedar City, and that people like the climate here.

Grapevine Representative Drake Howell presented a slide presentation, Grapevine Planning Matters, and proceeded to discuss issues of the project that have been agreed upon to date, 1.) Parking, 2.) Setbacks, 3.) Lot Sizes, 4.) Building Heights, and 5.) No gravel in Parking Lanes.

Mr. Howell continued, addressing issues that have yet to be determined. He said what he would be proposing at tonight's meeting, and he would readdress at the next Town Council Meeting.

1. **Parking Garages.** Mr. Howell described the types of parking being offered in the GVW Development Plan. They would range from a fully enclosed two (2) car garage, to one (1) car garage, carport, driveway or street parking (in mixed use space).

Mr. Lojko expressed his disapproval of anything but fully enclosed two (2) car garages, stating that anything else would be an eyesore and that people needed the storage afforded by an enclosed

garage. Further, he stated by providing anything less, the developer was creating a cheapened community, by trying to cut cost on this issue.

Mr. Howell responded that the carport design was not to cut cost, but it was an ambient design.

Ange Rohr commented that this development was a small urban center, with no rapid transport and most likely people would have 2-3 cars per residence. Thus, the homeowner would need adequate parking and shelter for their cars. Further, Mr. Lojko stated that with open parking, there is the highest rate of break-ins and Leeds has no police enforcement.

Mr. Howell said he had not seen any data that would substantiate that claim and would like to see data that supports that safety issue. He further said that the HOA they will have in place would be able to manage any issues that might arise. Howell reiterated that the design does not call out for only carports and street parking, and what they are asking for is flexibility for design. Nate Blake suggested that design issues can be worked out. Also it was stated that there would be different types of parking, based on the type of structure build, i.e., home, condo, apartment. Bob Nicholson suggested first building a Test Phase with a small numbers of carports and see how they do and then go from there.

Mayor Roberts said the issue to build with or without an enclosed structure should not be based on if people have items to store or if they will make a mess. He said it was not up to them, as Town Council, to micromanage. He further said he was trying to make sense on a legal level of why there would be different types of parking spaces for different types of dwellings.

Mr. Howell agreed with Mr. Nicholson's recommendation of building a Test Phase first.

Mayor Roberts said if GVW needed a direct answer on this issue tonight, he would have to say he is not agreeing to the design spaces with no garages. Drake said he didn't need an answer that night.

2. **Driveway Widths.** Mr. Howell discussed the driveway widths being proposed. He said that Single Family Residence would have a minimum of ten (10) foot width and Multi-Family Residence would have a minimum of eighteen (18) foot width. Sunrise Engineer Russ Funk said he sees no major issues with these widths. Mr. Howell said they were only proposing at this time and didn't need an answer tonight.

Councilmember Lojko feels this design proposal is a white elephant, that the developer is trying to cut corners. Drake responded that was incorrect, that the developer are not trying to cut corners, but that the design is fully thought out and compact, and more intense to bring people together, not to save money.

Mayor Roberts said he had some concern if the space is adequate to handle the safety of vehicles at the right of way. Frank feels some of the design is lacking in what Utahans want.

3. **Design Speed.** Mr. Howell stated that the Planning Commission recommended to the Town Council that all street design speeds be twenty-five (25) miles per hour, with the exception of Full Main Street and Roundabouts, which would be thirty (30) miles per hour. In addition, alleyways would be fifteen (15) miles per hour. Sunrise had recommended streets designed at thirty (30) miles per hour should be thirty-five (35) per hour.
4. **Y Intersections.** Mr. Howell said they are proposing a Y intersection at the village core. This Y meets the standards and creates a sense of gathering. It will be stop controlled. Sunrise Engineer Russ Funk said they had some concerns regarding GVW's traffic projections, and if the development will sustain a walkable community. Mr. Howell responded that there would be an RPO Feasibility Study performed soon, and with that, a couple of questions will be answered: 1.) first of all, to determine if a corridor is needed between the two towns, and 2.) if it is needed, what would be anticipated, as far as traffic flows. GVW Development will adjust their design if needed, based on traffic flow. GVW has agreed that if there is too much traffic (exceeding 10,000 trips a

day because of this connecting road) they would be flexible and adjust their design for a through street, going away from the Y intersection and make a curvature with a 90, or implement a traffic circle to modify the intersection.

Mr. Howell will address remaining GVW development issues at next Town Council Meeting.

5. Discussion of Planning Commission resignation and appointment of Commissioner and Alternate Commissioner. Mayor Roberts stated that Planning Commissioner Alternate Don Likens verbally quit the PC, commenting that if a fulltime position opened he would be willing to serve in that capacity. Likens later retracted his resignation, stating that he would come as an Alternate, but only "as needed" if someone didn't show up. Mayor Roberts said he has some concerns with this and said that an Alternate to the Planning Commission needs to be fully engaged. Mayor Roberts said he received a letter of intent to serve from Jared Westhoff, even as an Alternate. Mayor Roberts moved to appoint Jared Westhoff as a PC Alternative, stating it is allowable to have two (2) or more Alternates on the Committee. Councilmember Lojko said he was acceptable to him and said he felt the Mayor was using his best judgment.

6. Discussion on Annexation Resolution with Toquerville and Leeds for Washington County Water Conservancy District land (located at the Sullivan Wells and adjacent to BLM Land). Mayor Roberts gave a brief background regarding Leeds and Toquerville boundaries, explaining that when Leeds and Toquerville established their boundaries between these two towns, they were established alongside some property owned by Washington County Water Conservancy that is in Toquerville. He further stated that this is where Leeds and Toquerville agreed to draw the boundary line between the two municipalities. A study showed that that makes the most sense for the area for the satellite wastewater facility plant. He said the Conservancy doesn't care what municipality they are housed in. Ashcreek's concern is whose easement gets dedicated to. Ashcreek has been petitioned by GVW to enter into a contract management for them. It affects Toquerville because it resides in the boundaries of Toquerville, but Toquerville is part of Ashcreek and Ashcreek is not in favor of how Toquerville is going to deal with the potential of another service district dealing with wastewater, where they already belong to Ashcreek. Ashcreek feels it would be better if that property was not within Toquerville's boundaries. Toquerville will need a boundary line adjustment and de-annexation and annexation for that piece of property.

The course of action for Leeds is to decide if they want the wastewater facility plant in their town boundaries, and if they do, they need to petition Toquerville for that de-annexation.

Frank Lojko moved that this item be moved for an Action Item. Mayor Roberts feels this would be a great move for the future of Leeds. Conservancy has three (3) wells sit on that property, that are capped.

REGULAR MEETING:

ACTION ITEMS:

- 1. Discussion and possible approval for expenditures for R & B Surveying Proposal for providing boundary survey of Center Street Westerly of Main Street.**

A **Motion** was made by Frank Lojko with a **second** by Joe Allen to **Approve** the proposed expenditure \$912.00 for R & B Surveying for provide boundary survey of Center Street Westerly of Main Street.

The following roll call vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER JOE ALLEN	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER ANGELA ROHR	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER NATE BLAKE	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER FRANK LOJKO	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

Proposed expenditure for R & B Surveying for provide boundary survey of Center Street Westerly of Main Street was

Approved x Rejected TABLED

2. Possible Approval of Appointment for Jared Westhoff as a Planning Commission Alternate.

A Motion was made by Joe Allen with a second by Nate Blake to Approve that Mayor Roberts to appoint Jared Westhoff as a Planning Commission Alternate.

The following roll call vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER JOE ALLEN	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER ANGELA ROHR	<u> </u>	<u> x </u>	<u> </u>	<u> </u>
COUNCIL MEMBER NATE BLAKE	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER FRANK LOJKO	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

Proposed appointment by Mayor Roberts to Jared Westhoff for Planning Commission Alternate was

Approved x Rejected TABLED

3. Washington County Solid Waste – Town Council Representation – Resolution or Motion for Appointment. Mayor Roberts stated that the Washington County Solid Waste Committed has requested that a Town Councilmember be appointed and serve on their Board. Currently, Leeds Treasurer Jean Beal serves on the Board in that capacity.

A motion was made by Ange Rohr with a second by Frank Lojko made a second to move that this item be tabled until next meeting. An Aye vote was Unanimous.

UPDATES BY STAFF:

- 4. Councilmember Ange Rohr commented that LoAnne Barnes submitted an additional cost for repair of Mulberry and Main Street, and has a bid for \$300.00. It was stated that Ms. Rohr had authority to approve this expenditure.

A discussion was had on the usage of this land. It was stated that LoAnne would like to see the CCC as a park and Ange feels there is too much liability on this dead end street. Mayor Roberts commented that he feels this land has historical value only.

CLOSED MEETING – None

- 5. Adjournment by Mayor Alan Roberts at 10:17 p.m.

APPROVED ON THIS 28th DAY OF March , 2012.

Alan Roberts
Mayor Alan Roberts

Attest:

Sharon Martin
Clerk/Recorder Sharon Martin

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, March 28, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from March 14 , 2012 Town Council Meeting
6. Announcements:
7. Citizen Comment: *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item.*

WORK SESSION:

DISCUSSION ITEMS:

1. Draft Ordinance for Leeds area Cemeteries Update.
2. Utah League of Cities and Towns Midyear Conference April 11 – 13, 2012
3. Review, discussion and possible recommendation for approval of Final Development Plan for Grapevine.

REGULAR MEETING:

ACTION ITEMS:

1. Washington County Solid Waste – Town Council Representation – Resolution or Motion for Appointment

UPDATES BY STAFF:

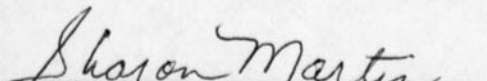
- 2.

CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).

3. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted March 22, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pnn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper


Sharon Martin, Clerk / Recorder

**TOWN OF LEEDS
TOWN COUNCIL MEETING**

March 28, 2012

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:05 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** - was led by Council Member Nate Blake.
3. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Angela Rohr and Frank Lojko. Also in attendance were Leeds Contract Planner Bob Nicholson, Grapevine Representative Drake Howell, and Deputy Clerk/Recorder Fran Rex.
4. **Declaration of Abstentions and Conflicts by Council Members** – None
5. **A Motion** was made by Joe Allen with a **second** by Nate Blake to **Approve Tonight's Consent Agenda**, comprising of **March 28, 2012 Agenda scratching discussion item number one (1)** and Town Council Meetings **Minutes** from **March 14, 2012**. An **Aye** vote was **Unanimous**.
6. **Announcements** – None
7. **Citizen Comment** – Elliot Sheltman informed of a home on High Desert Road being used as a vacation rental. He said the neighbors were concerned because the owner was not on the premises to submit complaints to; ATV's where being driven where they were not permitted; too many cars were parked in the street; and they were not following the development's CC&R's, and that this would lower the surrounding developments property values. He asked the Town Council to attend the Planning Commission Meeting in which they would be considering the Conditional Use Permit Application. He also noted another home which the neighbors where concerned the home were overstepping their home occupation business license. The Council Members said they would investigate.

WORK SESSION:

DISCUSSION ITEMS:

1. **Draft Ordinance for Leeds area Cemeteries Update** – scratched
2. **Utah League of Cities and Towns Midyear Conference April 11 – 13, 2012** – Mayor Roberts said he was an advocate of training, that the Town would pay the costs, and invited the Council Members to attend this training in St. George. He also noted ongoing training throughout the year which were free or low cost and stated it was good training which helps members to understand their positions better. Council Member Frank Lojko voiced his recommendation as well.
3. **Review, discussion and possible recommendation for approval of Final Development Plan for Grapevine** - Mayor Roberts turned the time to Grapevine Representative Drake Howell and Leeds Contract Planner Bob Nicholson. Referring to a staff report dated March 14, 2012, Mr. Howell noted that during the last town council meeting, they discussed fully enclosed garages, set-backs, street design standards, and items 1) Design Speed, and 2) Through Street at Main "Y" Intersection. He continued the discussion with the following items:
 - 3) **Intersection Spacing**. Mr. Howell continued reading the staff report as follows:
 - A. Proposed** - Intersection Spacing in the range of 100 to 150 feet. The revised typical sections include a note stating "Intersections Spaced at 150 feet or more can have full vehicle movements, intersection spaced less than 150 feet will have restricted movements and are subject to final approval during the design review process".

B. Existing Standard

The existing Leeds street design standards for intersection spacing range from 150 feet minimum for standard residential streets to 500 feet for minor arterials.

C. Recommendation

Sunrise Recommendation: Sunrise originally recommended that the existing intersection standards be followed and stated that shorter spacing could be approved for low volume residential roads, but not for commercial or other road types. With the comment in the current proposed standards requiring approval of any spacing less than 150 feet, the major concerns have been mitigated.

Planning Commission Recommendation: Approve the intersection spacing language as found in a note on the Grapevine typical thoroughfare cross-sections.

Mayor Roberts informed that Leeds was currently in the process of an access management ordinance. He said this was "spurred on" by state road access, however it will be all inclusive within Leeds. He noted that some of the areas can be questionable depending on how short the distance is on some roads. Bob Nicholson stated that everyone at the Planning Commission Meeting was "pretty much on the same page" and there was not too much disagreement on intersection spacing. They agreed that 150 feet or more should be required with a few exceptions where limited turning movements such as "right in and right out only" would be imposed. Howell agreed. Roberts asked if the proposed draft agreement will list specific roads and other specific items with the agreed requirements. Mr. Howell noted there were five sheets of "Grapevine Typical Thoroughfare Cross-Sections" illustrating road cross sections of each type of proposed road, and these sheets contained specific notes at the bottom. He stated the relevant language as follows: "Intersections spaced 150' or more can have full vehicle movements. Intersections spaced less than 150' will have restricted movements." He stated the proposed agreement would contain an exhibit of the "Grapevine Typical Thoroughfare Cross-Sections", and the language as found in the note on that document and as stated above. Howell added that in 2006 (approx.) Elim Valley, a Traditional Neighborhood Development in Hurricane, requested modified cross sections, and exhibits of their modified cross sections are now included in their development agreement. He agreed that specific language and exhibits such as these were very appropriate in a development agreement.

4) Sidewalk as Part of "Lane" Thoroughfare (Typical Sections)— Mr. Howell noted that sidewalks were part of the lane thoroughfares, and referred to the lane thoroughfares cross sections in the Master Plan Book and Pattern Book. He noted that Grapevine has now inserted a sidewalk on one side of the street in areas where the plan originally had none, and referred to Main Street cross section diagram. He then read the following from the staff report:

C. Recommendation

Sunrise Recommendation: Recommends that separate facilities be provided for pedestrians. It is not recommended that pedestrians share the travel lane with vehicles. If sidewalks on the "Main Street" thoroughfares are not included in the ROW, then at minimum, language should be included in that prohibits structures to be constructed in the area of the permanent utility easement that should be required in this area. Sunrise recommends that the Typical Sections are not approved, but that this be considered at a later date following decisions on the other items currently being considered.

Planning Commission Recommendation: Need to check minutes for recommendation

When asked by Mayor Roberts if the agreement would include verbiage stating which side of the street the sidewalk would be place, Howell replied the engineers would insert the sidewalk on the side which made most sense. And noted the cross section illustration just showed a sidewalk on one side. Roberts agreed it needed to be on the side which made most sense. Council Member Angela Rohr asked about the landscape street diagram and ribbon curbing, to which Howell explained that landscape streets (street with walkways on one side of the street) were placed where homes were only on one side of the street. He further explained that ribbon curbing was flush with the asphalt and created a visual distinction between travel lanes and parking areas. Howell then referred to page 57 in the pattern book which illustrated a few different types of covered walkways such as canopies and etc. He noted GW desire to incorporate covered walkways on Main Street, and asked if the town would establish some type of public easement for such, to which Council Member Frank Lojko stated shop owners may want some table and chairs on the walks, but noted since these were not permanent fixtures, this may be okay. The question of Town liability and a public easement was discussed. Lojko added this type of area is attractive, and increases peoples desire to live in a mixed use, high density place. Howell asked if he may engage the town attorney regarding the liability issue, to which Mayor Roberts agreed.

5) Traffic Mitigation Plan – In answer to Sunrise wanting GW to “pin down” what GW plan to do with the recommendations of the Traffic Impact Study (TIS), Howell noted their intentions were explained in Mitigation Plan. He also supported the Planning Commission’s recommendation to create a committee to study and promote an interchange feasibility study. He said GW would be glad to help with this. Mayor Roberts noted that Leeds plans to be proactive in mitigating the safety issues of the current split interchange. Howell also noted that GW would contribute their proportional share of their impact, and referred to table 1 of the Grapevine Traffic Mitigation Plan entitled “Facility Improvements Attributed to Grapevine Development.” Discussion was had regarding the timing of required improvements, the need for a 4-way interchange, and the possibility of getting Utah Department of Transportation (UDOT) involved. Roberts stated that UDOT recently changed its criteria and now considers how a project affects the potential for economic growth. He noted that a split interchange decreases Leeds potential for economic growth. Nicholson noted Leeds needed to get UDOT involved and get on their timeline. Roberts reiterated that he planned to get more involved with a four- way freeway intersection for the development of Leeds, but not due to any one development. Lojko said he would also talk with his UDOT associates to assess the possibilities. In response to questions from Council Member Rohr, it was discussed that a “Stop Control” was a Stop Sign, and that turn pockets would be paved. Howell reiterated that GW is totally fine to contribute the proportional funds to develop what goes in, and noted the Planning Commission suggested that instead of GW funding the widening Leeds Main Street after 1,500 homes, that GW contribute those funds to the four-way interchange. He added that GW development alone did not necessitate a 4-way interchange, and the Town needed to look at other areas of impact as well. Council Member Nate Blake added that Utah State law states driveway access is a code violation on a 5 way road. Roberts said that as long as UDOT governs Main Street, UDOT will make the decisions. Howell added that UDOT recently deed Telegraph Street to Washington City after UDOT had improved the roadway. It was then discussed that if UDOT were formally informed of the current safety issues of the split interchange, they may willing to put a Leeds 4-way interchange higher on their priority list. Howell then informed that at 101 homes, a second access would be required, and at 601 homes a third access would be required. He noted they anticipated using Babylon Road as the second access since in is already a dedicated road, and asked the Towns aid in getting access through the remaining 800 feet on private property. Roberts noted this was currently on Leeds Master Plan for future access.

6) Approved Expiration – Howell read the following:

C. Recommendation

Sunrise Recommendation: Recommends that approvals for exceptions to the Town’s standards be subject to a time constraint or expiration date. In the event that no progress is made on the development within the time granted, this would allow the Town the option of extending approvals or revoking them based on changes in design standards and practices.

It is also recommended that the Town include language in the development agreement stating that any deviations from the standards which are not clearly stated as approved exceptions would not be allowed. It is suggested that 10 years be the maximum approval period granted.

Planning Commission Recommendation: Use the language or condition: “Grapevine agrees to a revocation of standards exceptions only if there is a bona fide threat to the public health and safety or a change to standards beyond the control of the Town and which threat represents a “compelling and countervailing” public interest” as such term is used in the Utah Land Use Development and Management Act.” And establish a review of the Grapevine street standards to determine if any approvals will expire after 20 years have passed.

He suggested the Town use the language already approved in the Annexation Development Agreement. It was noted that legal counsel was in the process of reviewing the proposed development agreement. Howell continued by reminding the Council that the approved Annexation Development Agreement between Grapevine Wash and Leeds gave a list of requirements known as “Exhibit J”. He said both partners had agreed that GW would not be asked to give more than what was included in “Exhibit J.” He also reminded that “Exhibit K” provides the specific approval process including a second public hearing. Howell asked if the Council would schedule this second public hearing. Nicholson suggested the Town may want to wait until the traffic impact study was “nailed down” more; help from a study group was attained; and answers from UDOT were known. Lojko agreed, and felt the Town would be doing GW a disservice to have a public hearing before answers from UDOT were better known. Roberts noted that answers from UDOT were probably at least 60 days away, to which Council Member Rohr and Mr. Howell agreed. Mr. Howell added that he understood the concerns of funneling traffic down Leeds Mains Street or widening Main Street, but thought a response from UDOT may be more like 6 months away. He said GW would rather have the public hearing in the next month. He noted they were open to “tweaking” their plan based on the future studies. Roberts said Leeds should be proactive and help UDOT understand that a full 4-way interchange is

best for Leeds traffic movement. He added that 1,200 roof tops was a ways out, and should give Leeds time to establish a 4-way interchange. He noted that it took the City of Washington 12 years to add 1,200 homes during the "hay day." The Council discussed the possibility of a public hearing. Roberts asked if the Council way okay with setting a public hearing on April 25th, after UDOT's April 12-13 meeting, and after legal review of the proposed development agreement. The Council agreed. Council Member Joe Allen stated it seemed common sense would allow the Town to approve a certain amount of homes, but if a 4-way interchange was not built, the number of homes would be limited. It was also discussed that it may be time to update the 2007 Capital Facilities Plan. However, Mayor Roberts noted that impact fees do not govern Main Street, but UDOT governs Main Street.

REGULAR MEETING:

ACTION ITEMS:

1. **Washington County Solid Waste – Town Council Representation – Resolution or Motion for Appointment –** Mayor Roberts asked for a Town Council Member volunteer to represent Leeds at the Washington County Solid Waste meetings. He said they met on the first Thursday each quarter, and would be a liaison and sit on the board. Council Member Angela Rohr was appointed, and if she could not make a meeting, another Town Council Member would attend.

UPDATES BY STAFF:

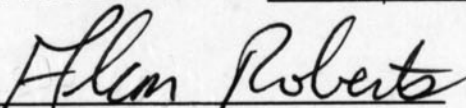
2. None

CLOSED MEETING – At 9:51 p.m., a **Motion** was made by Nate Blake with a **second** by Joe Allen to **move into a Closed Meeting** for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). An **Aye** vote was **Unanimous**. A **Motion** was made by Frank Lojko with a **second** by Nate Blake to **close the Closed Meeting at 10:23 p.m.** An **Aye** vote was **Unanimous**.

A **Motion** was made by Frank Lojko with a **second** by Nate Blake to make special circumstances and give Mayor Roberts administrative rights to make a decision on the clerk/recorder position, with a friendly amendment by Angela Rohr and accepted by Lojko and Blake that budget considerations be taken into account on whether the Town could do it. An **Aye** vote was **Unanimous**.

3. **Adjournment** by Mayor Joe Allen at **10:30 p.m.**

APPROVED ON THIS 17th DAY OF April, 2012.



Mayor Alan Roberts

Attest:



Deputy Clerk/Recorder Fran Rex

APP.

PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, April 4, 2012 at 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

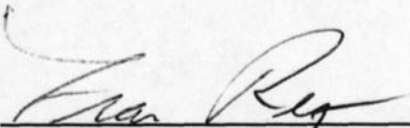
Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Commission Members, if any
5. Consent Agenda
 - Tonight's Agenda
 - Minutes of March 7, 2012 Planning Commission Meeting.
6. Announcements
7. Citizen Comment:
8. Discussion and Possible Recommendation of Proposed Conditional Use Permit Application Category III
9. Discussion on the Sign Ordinance
10. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted April 3, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Fran Rex, Deputy Clerk / Recorder

TOWN OF LEEDS PLANNING COMMISSION MEETING

April 4, 2012

MINUTES

A **Motion** was made by Commissioner Ray Beal with a **second** by Commissioner Alex Beal to elect Jared Westhoff as Chair Pro Tem. An **Aye** vote was **Unanimous**.

1. **Call to Order** – By Chair Pro Tem Jared Westhoff at 7:05 pm
2. **Pledge of Allegiance** – Was led by Commissioner Ray Beal
3. **Roll Call** - Present were Chair Pro Tem Jared Westhoff, Commissioners Ray Beal, and Alex Beal with Doug Erdmann arriving at 7:10. Commissioners Diane Burton and Bill Lytle were excused. Also in attendance were Leeds Contract Planner Bob Nicholson and Deputy Clerk/Recorder Fran Rex.
4. **Declaration of Abstentions and Conflicts by Commission Members** – None
5. **Consent Agenda** - Chair Pro Tem Jared Westhoff stated the agenda and meeting minute's motion would be split into two motions. A **Motion** was made by Jared Westhoff with a **second** by Ray Beal to move the **of March 7, 2012 Planning Commission Meeting Minutes** approval to the May 2, 2012 meeting since he did not attend the previous meeting, and if he did not vote, a full quorum was not present to vote. An **Aye** vote was **Unanimous**.

Regarding the Tonight's Agenda, Westhoff stated that agenda item number 8 was inadvertently noticed for a while as a public hearing notice when it was not required to be. However, he noted that citizen comment time would be given during item 8 for those who may like to comment to enable the Commission to hear anything they have not considered when item 8 is discussed. He explained the procedure of an item discussion as follows: First, the Planning Commission will hear the staff report; second, the applicant will be given time to fill in any additional information; third, Commission discussion; forth, citizen comment on item 8. He stated that citizens who wished to comment on item 8 should wait until that time instead of commenting during agenda item 7 citizen's comment. He noted that Commission would gladly hear other items during citizen's comment item 7. With that in mind, a **Motion** was made by Ray Beal with a **second** by Alex Beal to Approve Tonight's Agenda. An **Aye** vote was **Unanimous**.

6. **Announcements:** Town Easter Egg Hunt at the Town Park, Saturday, April 7, 2012 at 10:00 a.m.
7. **Citizen Comment:** Dave Harbour referred to the recent Mayor's Newsletter stating the Town was planning to better enforce ordinances. He agreed, and asked if the conditional use permit of the fence company had received an expanded permit, because they have expanded their area and no longer has it fully enclosed. Commissioner Doug Erdmann arrived at 7:10 p.m.
8. **Discussion and Possible Recommendation of Proposed Conditional Use Permit Application Category III** - Chair Pro Tem Jared Westhoff turned the time to Leeds Contract Planner Bob Nicholson for his report. He gave the following report: The applicant is the home owner at 1169 High Desert Road which is located in an R-1-2 zone (2 acre minimum lot size). The R-1-2 regulations are found in Chapter 14 of the Leeds Zoning Ordinance. In the R-1-2 zone 'Home Occupations' are listed as a conditional use requiring a Conditional Use Permit. Uses not specifically listed in the code are considered 'not permitted'. In the Home Occupation code (Chapter 24) Bed & Breakfast establishments are listed as a Conditional Use, but "Residential Rental Property" is not listed as a permitted or conditional use. Therefore the question is, "Is a 'Residential Rental Property' essentially the same use a 'Bed & Breakfast Inn'?" Nicholson said staff believes there are some key differences between the two uses and therefore not essentially the same use. A Bed & Breakfast Inn is typically an owner-occupied

and managed establishment or resident-managed establishment where the owner or resident checks guests in, provides breakfast in the morning, and lives at the premises to manage the home and provide over-sight that the home does not generate excessive noise or otherwise disturb neighbors. A "Residential Rental Property" typically implies that the home is available for short-term rentals (less than 30 days and usually for overnight or weekly rental) and a resident manager typically does not live at the home but guests pick up keys from a property manager off-site or the manager arranges to have the keys available through some means. The guests are typically unsupervised and no meals are provided. Nicholson recommended the Planning Commission recommend denial of the request for a "Residential Rental Property" because the use is not included in the list of allowed or conditional uses and it is substantially different from a "Bed & Breakfast Inn". He noted the applicant could change his request to a Bed & Breakfast Inn, but would need to provide a resident-manager and provide a breakfast to the guests. He stated the main finding is that the proposed use is not considered an allowed use in the R-1-2 zone, and that the proposed use (as understood by Town staff & PC) is substantially different from a 'Bed & Breakfast Inn'. Nicholson also noted that Utah State Law states rental property with rentals less than 29 days shall collect transient room tax. He added that this concludes that the State considers a residential rental property less than 29 days a business. Chair Pro Tem Westhoff stated that the job that night was to interpret the existing ordinances regarding the proposed conditional use permit. He added that he wondered if overnight rentals were listed in any ordinance other than a bed & breakfast. Nicholson noted that a Boarding House is listed in the definition section, but not in any zone. Westhoff said he looked up allowable uses in their zone and found that the "Home Occupation" use closest to "Residential Rental Property" is "Bed and Breakfast." To which Nicholson reiterated that "Residential Rental Property" is not the same as a "Bed and Breakfast."

Time was then given to applicant Jamin Houser for comment. He stated he did not mean to cause a public outcry, but informed that there were over 200 properties in Washington County similar to their "Residential Rental Properties," and this was not a novel idea. He noted that he has been confronted with neighbors regarding his own children, and wondered what would make the neighbors happy seeing they were so unhappy with his own families little infractions. He stated there would now be a minimum stay of four nights, and he required a strict screening, since the house was basically their families' get-away house. He said they had only rented the house out two times, and the rest of the visits have been family. He added that since the Town had requested he stop the rentals, he has stopped receiving rental money and has refunded money to those who had reservations. He noted he has seen rental advertisements of other homes in Leeds without a minimum stay requirement. He added that the strict screening process included not renting to groups of teenagers, and no pets. He reiterated he did not want to "open his doors to just anyone" for his own sake, for his house's sake, or for the Town' sake. Noting that the house had 8 bedrooms, and he had 6 children, he stated that anyone buying the house would probably have children. He said he planned to continue bringing his family, but again apologized for having such an effect on the community. Westhoff thanked Mr. Houser for discontinuing the business after the Town contacted him, and turned time over for Commission questions and comments. Commissioner Ray Beal asked what the maximum amount of people were allowed and if the septic tank could handle it, to which Mr. Houser answered 25 people, and did not know the septic tank limit. Mr. Houser added that he had an "exhaustive set of rules" which were tighter than the developments CC&R'. Westhoff asked if applicant had council present, to which Houser introduced his attorney Russell Mitchell. Attorney Mitchell stated he was from the Law Firm Jones, Waldo, & McDonough. Attorney Mitchell said he appreciated the accessibility of the Town's codes on the internet and related the following:

- Land Use Ordinance Chapter 14 - 14.2.1 of permitted uses in residential districts R-1-2 included a "Single family dwelling." It says to "see definitions"
- Land Use Ordinance Chapter 1 - 1.6 Definitions opening paragraph reads. "the word "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased or intended to be used if occupied" He interpreted that "the word "used" or "occupied" meant "rented or leased"
- Land Use Ordinance Chapter 1 - 1.6 the definition for "Dwelling, Single-family" reads in part, "A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit." He interchanged the word "occupied" with "used", "rented" and "leased"
- Land Use Ordinance Chapter 1 - 1.6 The definition for "Family" reads, "An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than four (4) persons (excluding those who qualify under the definition of casita) who are not related, living in a dwelling unit as a single housekeeping unit."

- He interpreted that "a permitted use in a residential zone is a building that is rented or leased (replacing the word "occupied") by a family (blood relatives). He stated his client's intent is to rent his home for a week at a time to families, and noted his clients restrictions comply with the zoning.
- He noted that according to the above interpretation of the Leeds Ordinances "a permitted use in a residential zone (R-1-2) is permitted to have rentals and leases and does not say anything to limit the amount of time in the definitions. He stated he did not find anywhere in the Leeds ordinances a minimum time limit for rentals and leases.

Attorney Mitchell added that most city ordinances regarding rentals are intended to prevent one family from renting out their basement or room to another family or individual (Dual Family). He noted it appeared the Leeds Ordinances were written with this idea in mind. He noted that nothing in the ordinance limits Jamin from renting or leasing his home for 30 days, 6 months or a week. And there was nothing requiring him to do anything special to rent or lease it. He voiced his opinion that the Town inadvertently told Jamin that he needed a conditional use permit, but contended this was not necessary. He noted that the Town had classified it as a category 3 because it did not fit the definitions of category 1 (which includes bed & breakfast), or category 2. He noted the Town Council would have to determine if it really needed to be approved as a conditional use permit.

Pro Tem Westhoff confirmed from Attorney Mitchell that he contended that under the Leeds Ordinances, a conditional use is not necessary for this case because of no limiting definitions for leases or rentals. Mitchell concurred. Westhoff noted that a person's right to own property is one of the basic rights we have in America, and a property owner can include or exclude whomever he wants from his property. He said that when talking about laws that effect basic fundamental property rights, if you want to limit a property right, it has to be spelled out how you will limit those property rights. Otherwise, if it is not spelled out, one can use his property how he wants unless there is something in writing limiting certain general uses by a city, CC&R's or deeds. The time was then turned to citizen comment as follows:

Dave Harbour: read Casita definition in part, *"A casita means an attached accessory building, providing living quarters for the use of guests, residential employees or family members of the owner-occupied premises. The unit may not be rented or otherwise used as a separate dwelling unit unless all the zoning requirements for a secondary dwelling unit are met including setbacks and required parking..."* He also read the Hotel definition, *"A building designed or occupied as the more or less temporary abiding place of fifteen (15) or more individuals who are, for compensation, lodged, with or without meals, and in which no provision is, made for cooking in any individual room or suite. Individuals may not reside at this location for more than thirty (30) days in any one twelve (12) month period."* He thought it fit more as a hotel since it could house 15 or more, and noted Chapter 17 stated hotels are only allowed in commercial zone under a CUP. He worried about guests because of fire hazard with the wild land interface. He reminded that a CUP stays with a property forever unless abandoned or is rescinded.

Denise Johnson: lives in the same subdivision and noted many of her concerns had been discussed. She reminded of Land Use Ordinance Chapter 24.2.4 which only allows a business license if the use complies with covenants, conditions and restrictions (CC&R's) or any deed restriction. Also noted was that the zone was for single family; she asked the Planning Commission to consider parking, septic and utility limitations; and believed the home was not build for 25 people. She agreed that the proposed use was more like hotel/motel. She also voiced her concern regarding safety, and that if it was okay to allow this business because it was not specifically outlined in the business license section, that any type of business would have to be allowed. She stated that the ordinance says if the business is not listed it is not allowed.

Robert Alvarez reminded of Land Use Ordinance Chapter 7.9.1 the General Review Criteria and pinpointed 7.9.1.3. His opinion was this proposed use was *"detrimental to the public health, safety, and welfare."* He was also concerned regarding off street parking, community character, and trespassing.

Elliot Sheltman referred to Land Use Ordinance Chapter 24- 24.2 Home Occupations Purpose and Intent as follows: *'Such business shall only be operated by residents in the home, and shall not be of such nature or scope that the operation of the business disrupts neighbors or detracts from the residential character of the neighborhood in which it is located.'* He said the business was a nuisance with 19-25 people, and voiced his concern about parking.

Dennis Budd of Eldorado Hills noted when the area was annexed into Leeds, they were told the roads would be maintained. He voiced his concern about the extra traffic on roads needing repair.

Jo Sheltman asked if the owners had property insurance for renters. She voiced her concern about the liability of ATV and other accidents, and wondered if the Town would be liable.

Margaret Anderson said she was a board member of the HOA in Silver Reef Highlands. She said the board would be meeting the next day to discuss the HOA approval of the 'Residential Rental Property.' She said in prior discussions with the board members, they were unanimously against this use for the subdivision due to the CC&R's stating the homes were for single family residence. She said she was concerned about the number of people, and noted if it was approved as is, it was only up to the owner to limit it to 25 people. She informed that one group of renters brought 8 vehicles and trailers and did not want to see this on a regular basis. She voiced concern about the policing of the home, and if the owner was not available who this would "fall upon." She stated the HOA would be taking action to disallow the 'Residential Rental Property,' but welcomed the Houser's and their family to the neighborhood.

Cytha Wright welcomed the Houser's, but was afraid to open the neighborhood to ongoing renters since the Town did not have local police protection.

Tammy Deluge, property manager and sister to Jamin Houser, said there were 3 Residential Rental Property's in her own neighborhood, and said there was not a problem with affecting the character of the area. She added that there were no lines defining where ATV's could travel, but expressed gratitude that lines have since been placed. She attested to her brother's character and due diligence and said he had no intention of allowing just anyone stay in his home, and thought the neighborhood should feel complimented that others would want to visit such a beautiful area. She said the ATV's should not be an issue because they are allowed on the roads. She said that people from out of the neighborhood bring ATV's on trailers to the neighborhood and park on the roads to ride their ATV's "all the time." She noted she lived close by, and that when a neighbor alerted her to a problem, she corrected the problem immediately she also reiterated that the neighborhood conflict existed regardless of having renters.

Dave Harbour asked the Commission to consider Land Use Ordinance Chpt. 6.8 about too many cars.

Pro Tem Chair Westhoff reiterated that agenda item number 8 was inadvertently noticed for a while as a public hearing and this was why citizen comment time was given during item 8. Then he asked Contract Planner Nicholson for any clarification on anything and particularly Land Use Ordinance Chapter 24.2.4. Westhoff noted it was unusual with other municipalities to check the CC&R's and deed restrictions when a home occupation business license application was made. However, he added that this requirement was in the Leeds ordinances, but noted this did not mean the Town "enforces" CC & R's. Nicholson suggested the Town ask the Town Attorney for an official clarification, then stated the reference basically said that a home occupation license shall not be approved if the use violated CC&R's. He agreed that most cities do not enforce CC&R's; however the Town ordinance did say it should not approve an application if it violated the CC&R's. Council Member Ray Beal asked if this use violated the CC&R's to which Nicholson answered that the HOA Board Member only indicated that the board would not be approving the use. Westhoff added that this is why this was so unusual, because cities did not usually burden themselves with what CC&R's had to say; however, he said the Commission had the responsibility to uphold the current ordinances. Council Member Alex Beal asked if the planning commission should table the item until receiving legal counsel on clarifying the difference between a bed and breakfast and residential rental property; the unusual requirement of 24.2.4; and other ordinance questions. Westhoff then gave some time to applicant to make any points of clarification.

Jamin Houser said he had learned a lot from listening to all the concerns, and reiterated it was not his intent to be a nuisance and apologized. He said when he recently visited with his children (who are sometimes loud); he also received the same feedback as his guests have from neighbors yelling at his children while he was standing there. He noted the HOA prohibits fences and it is very difficult for an 8 year old to see where the demarcations denoting the property line are. This is why his child inadvertently "trespassed unto another property" and was treated harshly from the neighbor. He also stated he did not want a parking problem, and had learned from the experience of too many vehicles. He cited Land Use Ordinance Chapter 6.8.3 as follows: *"In areas where there are no curb, vehicles parking on the street must be parked in a manner that allows for the safety and welfare of the public. Parked vehicles shall not have more than two (2) feet of the vehicle covering the hard asphalt surface."* He noted that off street parking may be discouraged, but it was not prohibited with the above restriction. He said he had received a letter from the HOA to which he immediately and completely complied. And

reiterated he had not entered a contract since receiving notice from Mayor Roberts, nor accepted rental payment from anyone staying there. He added he wanted to do his part, and wanted to do what was right.

Betty Poe stated she was with Mr. Alvarez when he received a call regarding an ATV trespassing. In response to not having signs marking property lines, she said they put up red tape around their property. She said the next week, the red tape from one area was taken down and wondered how to manage demarcation with having different people all the time.

Westhoff said he appreciated the owners complying with discontinuing renting and applying for a CUP. He asked the owners if they would prefer the Planning Commission to table the item until they receive legal counsel or have the Planning Commission vote and send their recommendation to the Town Council. He said the Commission would take the owners request into account when they made their decision. Mr. Houser stated he would like the Commission to decide that night and take whatever recommendation they had to the Town Council. Westhoff then asked the Commission for comments. Ray Beal reminded that decisions on property rights should be carefully decided and Alex Beal reiterated to table the discussion until legal review. Doug Erdmann wanted clarification regarding rentals under 29 days not being permitted in residential zoning, to which Westhoff restated Mr. Nicholson's presentation stating this use was not permitted as "single family" use, therefore he "chased the issue" to "home occupational" uses which led him to research "conditional uses". Nicholson had concluded the closest conditional use was a bed and breakfast, and he did not think it was the same use as a bed and breakfast. To which Nicholson concurred, and noted that Applicants Attorney Mitchell stated the ordinances did not have a definition for a short term rental. He said to look at the code in general, and that a rental for less than 30 days was a commercial use according to Utah State Tax requirement because you have to collect transient sales tax. In answering the "intent" question, he stated that in chapter 14.2.1, the definition for "short term guest" is less than 30 days (this definition reference was later found to be outdated and no longer included in the current ordinances). He also reiterated the point made from ordinance chapter 24.2.4 stating a "[home occupation business] license shall not be issued until the applicant represents that the applied for use will not violate CC&R's or deed restrictions." He reiterated that currently the Town did not know if the CC&R's have been violated, to which Erdmann stated they should have the opportunity to find out if it violates the CC&R's before the commission makes their decision. Westhoff said he did not think it fit the qualification for single family residential definition. And noted it fit better under the definition of hotel which is designed for over 15 people. He said the job at hand was not to decide if they like the use or not, but to decide if this meets the current ordinance. He referenced Erdmann's desire to seek legal counsel first and weighed it against the applicants' desires to get the issue to the Town Council in a timely manner. He said he was okay to move it to the Town Council if they alerted the Council to certain issues such as Ordinance 24.2.4; having the Town Attorney vet the single family definitions pointed out by Attorney Mitchell; and asked that the draft minutes be sent to the Town Council for added information. He said he would entertain a motion, and added their recommendation could be for approval, approval with conditions, table or denial. There was further discussion regarding adding other issues such as wild land interface, and considering if the septic system and/or other utilities could handle having up to 25 people.

A **Motion** was made by Chair Pro Tem Jared Westhoff with a **second** by Doug Erdmann to Recommend Denial of the **Proposed Conditional Use Permit Application per staff recommendation. However, as the Town Council considers the matter, they should explore the following issues:**

- **Consider the issue of wild land interface with Chief Lewis;**
- **Look at Ordinance 24.2.4 and only allow a business license if the applicant issues a statement that the use does not violate any Covenants, Conditions and Restrictions (CC&R's) or any deed restrictions;**
- **If denial is overturned, consider adding a condition to not allow more people than a septic tank can handle per the 8 bedrooms.**
- **Look to see if parking ordinance is tight enough or if there are additional parking constraints they would wish to add as part of a conditional use permit;**
- **Look up and identify definitions in Land Use Ordinance 1.6 of "used" or "occupied" in the first general paragraph, and the listed definitions of "dwelling, single family"; and "family" as opposed to a "bed and breakfast".**
- **Might want to get legal counsel review particularly on Land Use Ordinance 1.6 as it relates to the difference between the interpretation 1.6 definitions of Attorney Mitchell vs. Leeds Contract Planner Bob Nicholson's definition of a bed and breakfast.**

An **Aye** vote was **Unanimous**.

9. **Discussion on the Sign Ordinance** - Chair Pro Tem Jared Westhoff turned the time to Leeds Contract Planner Bob Nicholson for his report. He gave the following report: The Leeds Town Sign Code is found in Chapter 22 of the Leeds Town Zoning Ordinance. The Sign Code is a 25 page document that covers all the regulations for placing signs within the town. The existing code is not user friendly and overly complicated. Staff suggests a few rather minor modifications to the regulations for signs in residential zones, and more significant changes to the regulations for commercial signs. The main change to commercial sign regulations is to simplify the standards down to two types of signs; Wall signs – signs mounted on the building, and free-standing monument type signs. Nicholson provided a 2-page document listing the proposed changes by section of the Sign Code. He said the main changes dealt with signs in commercial zones; wall signs attached flat to a building wall cannot exceed 10% of the front wall area (building's front façade). The regulations for monument type signs remain basically unchanged but 4 sections in the existing code would be replaced with 2 much simpler sections. The Planning Commission reviewed the following recommendations:

22.2.1 Signs Not Requiring Town Approval or Permit

22.2.1.1 Construction sign. Change maximum sign size from 8 sq. ft. to 32 sq. ft.

22.2.1.4 Real Estate Signs. Change maximum size from 4 sq. ft. to 6 sq. ft.

22.2.1.8 Political and campaign signs. Either eliminate 30 day time limitation on posting of campaign signs or change to 90 days, rather than 30 days. (Note: political speech / campaign signs have a special status under the law and very few limitations are allowed on campaign signs.)

22.2.2 Signs Requiring Town Approval (Permit)

22.2.2.1 Signs in Commercial Zones. Delete existing sections 22.2.2.1, 22.2.2.2, 22.2.2.3, and 22.2.2.4 and replace with the following provisions for wall signs, and free-standing monument signs.

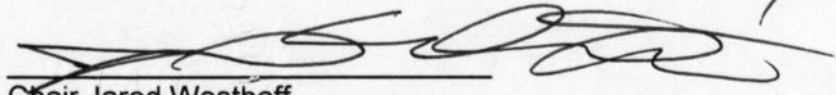
22.2.2.2 (new section) Wall signs. Each commercial building or tenant therein, may have one front wall sign not to exceed 10% of the building's front wall area, or 10% of the tenants front façade area. Such wall sign shall be attached flat against the building's wall and shall not extend above the roof peak or parapet wall. A second wall sign is allowed on the side or rear of the building with a maximum sign area not to exceed 5% of the wall area.

22.2.2.3 Business monument sign. (Current section 22.2.2.1) Monument signs shall be mounted on the ground with a solid base. The size of the base shall be no larger than 30 sq. ft. and a height not to exceed 2 feet. The sign portion of the monument shall not exceed 55 sq. ft. with the top of the sign no more than 10 feet above the average ground level adjacent to the sign. The sign shall be within the property for which it advertises, and shall not encroach into any public right of way or public property.

The Commission decided to continue their review during the May Planning Commission meeting.

10. **Adjournment** by Alex Beal at 9:15 p.m.

APPROVED ON THE 2 DAY OF May, 2012.


Chair Jared Westhoff

Attest:


Deputy Clerk/Recorder, Fran Rex

TOWN OF LEEDS
PLANNING COMMISSION
PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will occur at the
Planning Commission Meeting on
Wednesday, April 4, 2012 at 7:00 p.m.
At the Leeds Town Hall 218 North Main Street, Leeds, Utah.

The purpose of the hearing will be to receive public comments relative to
the following proposed Conditional Use Permit:

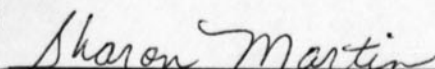
▪ **PROPOSED CONDITIONAL USE PERMIT
APPLICATION CATEGORY III**

for
Parcel # L-SRH-20,

located at
1169 High Desert Road, Leeds, Utah 84746

Notice of Special Accommodations. In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting. The undersigned Clerk/Recorder does hereby certify that the above notice was posted March 22, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org.


Sharon Martin, Clerk / Recorder

Citizen Comment:

<u>Name</u>	<u>Address</u>
Janin Wanser	1169 High desert Rd
Russell Mitchell	301 N. 200 E #3A, St. George
DAVE HARBOUR	1069 Bonanza Rd
DENISE JANSON	45 Juniper Way
Peter Aufgenma	3000 Silver Reef Rd
Roberto Alvarez	Box 461208 Lehi.
Karen Markovich	2040 Silver Reef Drive
Dennis Budd	654 W CANYON creek Ln.
ELLIOTT SHECTMAN	3031 SILVER REEF DR
WAYNE HEPWORTH	1455 N. MOUNTAIN VIEW
MARK WILLIAMSON	
A KIRK WALTERS	740 N. Juniper Way
Margaret Anderson	570 N. Quail Court

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, April 11, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda *March 27*
 - b. Minutes of Meetings, 2012 Town Council
6. Announcements:
7. Citizen Comment: *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item.*

REGULAR MEETING:

ACTION ITEMS:

8. Approval of Full time Planning Commission Member

WORK SESSION:

DISCUSSION ITEMS:

9. Draft Ordinance for Leeds area Cemeteries Update.
10. Review of the Final Development Plan Agreement for Grapevine.
11. FY 2012-2013 Budget
12. Future of CCC Camp

UPDATES BY STAFF:

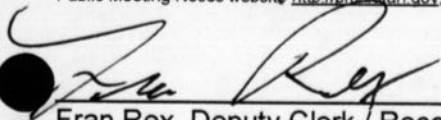
- 13.

CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).

14. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted April 10, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pms.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Fran Rex, Deputy Clerk / Recorder

**TOWN OF LEEDS
TOWN COUNCIL MEETING**

April 11, 2012, 7:00 p.m.

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:05 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** - was led by Council Member Joe Allen.
3. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Angela Rohr and Frank Lojko. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Engineer Russ Funk of Sunrise Engineering, Grapevine Representative Drake Howell, and Deputy Clerk/Recorder Fran Rex.
4. **Declaration of Abstentions and Conflicts by Council Members** – None
5. **A Motion** was made by Joe Allen with a **second** by Nate Blake to **Approve Tonight's Consent Agenda**, including **Minutes** from the **March 28, 2012** Town Council Meeting and Executive Session. An **Aye** vote was **Unanimous**.
6. **Announcements** – Mayor Roberts announced that dumpster days were the following week. He referenced the April newsletter, and reminded citizens to be aware of what and how items were being placed into the dumpster. He noted the Town spends \$200 to organize the garbage in the containers.
7. **Citizen Comment** – Danielle Stirling said she had heard that the Grapevine Wash Development used the 2007 Leeds Master Road Plan to ascertain the possibility of a second access to their development through the Stirling's property. She said that although the 2007 Master Road Plan shows this possibility, the Stirling's were not interested in giving a right of way through their property for said access. She said their family had protested at the time the Master Road Plan was approved, and still did not want this. She said her discussion with someone at the Bureau of Land Management (BLM) concluded that BLM did not recognize the Leeds Master Road Plan as enforceable with the BLM. She also added that mining claims near the cited Master Road Plan road were currently inaccessible to their owner. She asked that the Leeds Master Road Plan be amended to delete the possibility of crossing their property for a possible future connection road. Mayor Roberts noted the RPO will be conducting a feasibility study beginning in June, 2012 to access the feasibility of several possible corridors including 900 N Babylon to the river; and 900 N Babylon to Toquerville. He explained that a Master Road Plan looks at an area to see if it is feasible to put a road somewhere, and that it was important for a Town to look at road studies to ascertain where possible growth could happen and where it could not.

REGULAR MEETING:

ACTION ITEMS:

8. **Approval of Full time Planning Commission Member** - Mayor Roberts announced the resignation of Alex Beal as a full time Planning Commission Member. He continued that the policies and procedures say we fill those positions by the alternate. He said Jared Westhoff submitted he would accept the appointment. **A Motion** was made by Nate Blake with a **second** by Mayor Alan Roberts to **Appoint** Jared Westhoff as a full time Planning Commission Member. **Four Aye votes** were given from Mayor Roberts, Joe Allen, Nate Blake, and Frank Lojko, with **one Nay vote** from Angela Rohr.

WORK SESSION:

DISCUSSION ITEMS:

9. **Draft Ordinance for Leeds area Cemeteries Update** - Mayor Roberts said the current draft combined two drafts from the past year. He said the idea was initiated by Mayor Hyrum Lefler and applauded his efforts. Roberts said the current cemeteries lacked organization and this proposed ordinance will solidify how the Town will operate regarding the cemeteries. Council Member Joe Allen said he did not see any concerns that "jumped out at him." Roberts added that this document would pertain to all the municipal cemeteries now and in the future. Council Member Angela Rohr voiced her concern requiring vaults, and noted her mother was just buried in California without a vault -- even though it was an area with more rain than Leeds. Joe Allen asked if a vault was industry required and if they were cost prohibitive. Rohr answered they added \$1,000.00 to the cost of burial, and Mayor Roberts said he did not know of a municipality in Utah that did not require a vault. He added that vaults created a more stable solid structure. Council Member Frank Lojko said they should find out if it is a State Law. Lojko also asked if the ordinance should address a request for a cremated spouse to be buried with his/her spouse. Mayor Roberts asked the council to further "digest" the draft ordinance for further discussion in a future meeting.
10. **Review of the Final Development Plan Agreement for Grapevine** - Mayor Roberts said the draft agreement had been reviewed by Town Legal staff, and has gone back to the Grapevine legal staff. He advised that legal staff desired to hear any of Town Council's concerns before it continued its review. Roberts stressed that this type of an agreement was a crucial document, because it was what the Town would need to "live with." He reiterated the importance of carefully considering its components. Town Engineer Russ Funk of Sunrise Engineering said he had contacted Dana Meier from the Utah Department of Transportation (UDOT) and could set up a meeting with him the following week. Mr. Funk was asked to set up a meeting for 11:00 a.m. on Thursday, April 19th. Roberts noted that since more than two council members would be attending the work meeting, it would be posted as an open meeting. Time was then given to Grapevine Representative Drake Howell to discuss the draft agreement reviews. Howell stated that Grapevine was comfortable with most of the changes the attorney's "red lines" suggested. He reminded that the Annexation and Development Agreement passed in 2009 granted the following vested rights: 1) density; and 2) mixed use zoning; as well as 3) this process for obtaining final development plan approval. With the final result being a Final Development Plan and Final Development Plan agreement. He noted the recitals of the draft agreement summarized the history of the process so far, he noted the development agreement goes beyond zoning, and enters both parties into a contract law, which tells what each can expect from each other.

Howell stated that section two (2) lists what the development plan consists of (i.e. The Final Development Agreement; the Master Plan Book; the Pattern Book; the Existing Conditions exhibit; the Emergency Response exhibit; the Traffic Study and Traffic Mitigation Plan; the Master Utility plans; the Interlocal Agreement; and all other documents entered into by both parties. He noted many of these were in the exhibit "J"). He noted that all plans submitted thus far are preliminary plans, adding that some potential sites have been identified for a conceptual site drainage plan, preliminary water master plan tanks, storm water detention areas, and a sewer treatment facility. He noted that early on in the process, Town staff had submitted the Grapevine Wash proposal to all affected entities such as Washington County Conservancy District (WCWCD), Leeds Area Special Service District (LASSD), Bureau of Land Management (BLM) and etc. He informed that the affected entity responses would be included to the list of conditions. Council Member Angela Rohr asked if the Town was "locked into" the preliminary plans for sewer and etc., and if the approval of the proposed agreement would be the last time the Town would have say in the approval process, to which Mr. Howell referred to GVW's new proposed language in section two (2), and said approval of the agreement did not lock in all approvals. He said the development would not get final approval until everything came back approved from the State, and noted there were several "approvals" associated with each condition listed in section three (3). He said GVW had inserted a new subsection after 2.2.9 which reads as follows: *"The Town acknowledges that the plans for draining water, drainage, sewer, telecommunications, natural gas, and power are all preliminary. And prior to necessary permits being granted shall be finalized and reviewed and approved by Town staff. Said final plans will comply with requirements set forth in section 3.2 below which is the conditions of approval section. And when approved shall be deemed incorporated into this agreement as if originally attached hereto."* Howell reiterated the Town would not be "locked in" and added that GVW could not come back for subdivision approval until the list of conditions are approved by staff, and the sewer is approved by the Department of Environmental Quality (DEQ), and the State of Utah for the water system, and so forth. Rohr reiterated her question of "if this would be the last time the Town would have say about it", to which Mr. Howell said no, that this would not be

the last time the Town would have say about it, and explained that prior to necessary permits being granted, all the preliminary plans would need to be finalized and stamped by GVW Engineers, and the Leeds Town Engineers. He stressed that this would not be the last time the Town would have any say about it "by any sense of the word." Town Engineer Russ Funk added that when the ordinance was passed allowing possible exceptions to the street standards, it did not include exceptions to sewer and water, so the original standards would be in place to protect the Town.

Mr. Howell then addressed section three (3), entitled "Responsibilities of Developer: Conditions of Approval," which included the following subsections: Wildland-Urban Interface Code; Accesses; Impact Fee Analysis; Sewer; Culinary Water; Natural Gas; Telecommunications; Electric Power; and Storm Drainage. He reminded of Town Engineers recent remarks that it was a good idea for the Town to review and update their Capital Facilities Plan and Impact Fee Analysis. Noting section 21.1, Commissioner Frank Lojko said in light of the comments from Danielle Stirling; and the environmental impact and seemingly unfeasibility of the area; and not wanting to impose eminent domain, he suggested that GVW find another alternative to using Babylon Mill Road as a possible second access. He suggested looking at other routes from Old Babylon Road (900 North). Council Member Nate Blake stated if the Town signed the agreement as is, the Town would be agreeing to help the developer obtain an easement. Mr. Howell said GVW was looking at all options and planned to analyze which is the best option. He added that they looked at the 2007 Master Road Plan as a guide of what the Town might want. Lojko also noted that using Babylon Mill Road (200 North) would bring more traffic onto Main Street. Blake added it would also bring traffic by the Town Park. He also suggested that GVW consider other options and not think of Babylon Mill Road (200 North) as an option. Howell noted that Babylon Mill Road was a dedicated road to the Town of Leeds which already went through part of the Stirling's property. They were just hoping to have the Town's assistance of pursuing something (like a connection road) the Town had already contemplated in the 2007 Master Road Plan. Lojko stated the Town was currently designed into "pocket areas" and the need to be connected did not seem critical. Mayor Roberts asked if this was the right mind set when looking to a town's future. Lojko asked if widening 900 north would be an option, to which Howell said he would like this option, but said the Fire Department would not approve another lane because it would still only be a one "artery" access, with no emergency access. Howell reiterated they would like to keep all options open for now. Mayor Roberts thanked Lojko for bringing up his concerns.

Discussion then turned to section four (4), entitled "Project & System Improvements - Cost Sharing" of the proposed draft agreement as follows. Ideas were discussed regarding how the development would fund the needed improvements. Howell suggested a contract be made to require a fee from GVW in lieu of impact fees so the funds could be set aside in a PTIF account for specific public improvements. To which Engineer Russ Funk suggested that two contracts would be advisable. He suggested one contract between Leeds and Grapevine, and one between Grapevine and UDOT. Lojko cautioned against too much creativity since it would probably be a different Town Council when the project began. Rohr stated her concern about impact fees being assessed in 2012 for a project taking place at 2022 cost, to which Roberts stated that usually impact fees are not collected until the development is close to beginning, and that the Town would continually update impact fees to allow for inflation of costs. Mr. Funk reiterated this was why it was important to update the current impact fees.

Mayor Roberts gave time to Ms. Stirling for another question. Ms. Stirling asked if they passed the proposed development plan agreement, as is, including the proposed possible second access, could the future Town Council take her property using eminent domain because of the agreement. Mayor Roberts stated there were things governments can and cannot do regarding exactions. He said governments have the potential to take exactions of properties, but they cannot take them without compensation, and without some type of just reasoning. He said it was quite a process and most municipalities do not look forward to doing it. He said personally, he thought governments should be extremely careful to only do it if there is good reasoning like health, safety or welfare of the community and with good solid findings. Ms. Stirling then requested that the option for a second access road through her property on the 2007 Master Road Plan be removed because the Stirling's did not want it; she said the BLM did not want it; there were wetlands in the proposed path; and the farm was 130 years old. David Stirling added that there was not an existing school in Grapevine, and the road did not help the current residents.

Noting Section 27 regarding the amendment process, Howell stated they had added a possible paragraph requesting if the desired change simply "tweaked" the boundary of a village a little, then the subdivision site plan or plat plan submitted with the application could serve as the "amendment." The agreement discussion then continued as follows. Mayor Roberts voiced his concern having a development with the same type of issues as

Elim Valley where properties were sold off that were not tied to the original agreement, which led to having some land locked properties. He said the Town wanted a guarantee that the entire development would stay intact, and not send off different areas to building companies. Howell suggested discussing this with Town Attorney Heath Snow. He added that GVW did have a "cross easement agreement" between the three land owners to help mitigate this situation. He added that Elim Valley had a lot of debt due to leveraging the land; whereas, GVW land is not leveraged with debt. He reiterated this should be discussed with the attorney. Roberts noted if the project "went south" it was really not the governments concern unless it caused land locked parcels. Council Member Joe Allen asked how they would mitigate three and four story buildings from being an eye sore, to which Howell responded by pointing to the map displaying the areas planned for three and four stories. He explained the natural topography naturally slopes to the Virgin River so the buildings would not be obtrusive; and beautiful view corridors would be maintained by design. Rohr added the buildings would not "jet out" on the skyline because of the prominent knoll, and gave the example of the multi-story Dixie Regional Hospital in St. George being subdued by the Foremaster Ridge behind it. Joe Allen asked if it was wise to go that high, to which Howell responded it was hard to have a discussion over opinions and noted that one of Vision Dixie's guiding principles were to cluster development and intensify the cores, which makes the streets safer by bringing "more eyes on the streets." He said given the rigid design guidelines, amount of planning, energy and resources, it was planned in a way that it would work and be an amenity the Town would be happy with. Rohr reminded of the fire truck issue, to which Howell said they had talked with Leeds Area Special Service District (LASSD) and committed to not build the three and four story structures until GVW made a ladder truck and satellite public safety building to house the ladder truck, available to LASSD.

Mayor Roberts then moved the discussion to the proposed Interlocal ("Cooperation") Agreement. Drake Howell noted that the Annexation Agreement said GVW would enter into an Interlocal Agreement with Leeds. He said GVW accepted most of the comments, suggestions and edits Attorney Snow had made to their proposed agreement. He pointed out that GVW Local District had the authority to finance parks and recreation, streets and rights of way, health care and water. He said the Interlocal Agreement section 2 establishes that GVW Local District will finance, build, construct and then dedicate all those elements of infrastructure to Leeds. He then pointed out the following caveat (underlined): 2(e) "*Within ninety (90) days of completion of a Public Improvement and final written acceptance of the improvement as complete by Leeds, the right, title and interest to such Public Improvement shall be dedicated and pass to Leeds unless Leeds is unable or unwilling to accept dedication of such improvement*". Howell reiterated they agreed with the changes Attorney Snow had made. Mayor Roberts noted the changes or modifications GVW legal staff made to the agreement would now go back to Leeds legal counsel for review. He said he had asked Drake to present the general direction GVW was planning, to which he did. Roberts said the Town Council needed to understand the documents and make sure it is the direction that is best for the Town without denying rights to property owners to do what zoning and ordinances allow. Engineer Russ Funk asked if there was a section included in the development agreement about coming to an agreement on the roads and streets before it was accepted. Mayor Roberts answered the agreement incorporated the Traffic Impact Study (TIS) exhibit. He added that the Town still wanted to discuss the TIS with UDOT. In referencing the (TIS), Roberts stated the Council had the responsibility to look at the potential growth and impact a development will have on the Town, but to also be cautious of limiting public the right to use a road. He said it was up to the Town to look at the best way to handle the amount of traffic and the direction it comes from within the Towns boundaries. He added the Town had the responsibility of managing it. Howell reminded they were all working through the processes of going back and forth to amend the agreement until it was agreed upon. Stating he had missed last month's meeting, Funk noted Sunrise still had a few concerns dealing with streets and traffic. Howell gave a follow up regarding last month's Town Council discussion regarding balcony covered sidewalks in or out of the Main Street rights of way. He reported that Attorney Snow would send a letter stating he was initially okay with the idea of arcade, canopy or balcony covered sidewalks if there is a public access easement and the Town did not have to maintain those sidewalks so as to avoid liability. Funk added there should also be no utilities, to which Howell agreed. After a little discussion regarding "walking through" the points on the Staff Report on the Sunrise Engineering Letter during the last Town Council meetings, Funk asked if a final approved revision to the traffic documents would be made to include all the agreed changes. Roberts said the meeting with UDOT the following week would be helpful, but noted dealing with UDOT would not give instant answers, because it is dealing with things "way down the road. Therefore, Mayor Roberts said some things could not be answered at this time. He explained by saying just as the water and sewer were conceptionals at this time, and all questions could not be answered, all the traffic issues cannot be addressed and answered right now. But, he added, as the Town looks at the platting, it will become "nuts and bolts". He thought it was good for Danielle to bring up her concerns, but noted all questions could not be answered at this time. He said he understood her question, but also understood a

developer looking at the Towns Master Road Plan to come up with a possible second access. He noted that when Silver Pointe Estates came to the Town for their subdivision approvals, the Town told them that after a certain number of homes, a second egress would be required. But the Town did not tell them they could not build, the Town gave them conditions. He said this was the same. Howell stated he looked forward to visiting with UDOT and going over the Sunrise concerns regarding traffic. He then emphasize that when relating to all the impacts GVW will be making on all public utilities and especially roads, GVW understand they need to carry their proportional share, and do not want to "weasel out" of any obligation of paying their share, and have no illusion to be a "free rider". They want to establish the mechanisms that will pay for it. He noted more certainty diminishes speculation. But stated all the studies that could be done regarding traffic would only give educated guesses, and referenced the Leeds 2007 impact fee analysis projected the population of Leeds would be approximately 1,300 and it is now only 820 which is 4 residence less than in 2006. He thought a more effective way to go would be to complete phase one, then do another pneumatic impact study to get the actual numbers to use, and GVW will respond to those actual numbers. And then do other studies as needed. Russ Funk agreed that up-to-date studies along the way would better tell what was needed, and noted the roads may be beyond capacity even before phase 3 due to other development. Howell reminded that "spot improvements" could be required (such as a turning pocket, or a signal at an intersection) well before another lane was needed. He added that if the "trigger number of vehicle trips" is reached during GVW phase one, due to growth in Silver Pointe Estates, and/or SITLA or elsewhere, GVW would be there to pay its proportional amount to mitigate the traffic. Lojko asked Howell to narrow the focus to illuminate so many different possibilities in the future. He said he thought this would help reassure the public. Howell noted many things were defined, however, there were some areas without certain definition and has several options. Lojko cautioned that public attending one or two meetings along the way may not see the whole picture because only one portion or option was discussed that night, to which Howell noted GVW had been having open meetings with the Town for a few years, and trusted the Council would not make a final decision based on what was heard in just one meeting. Mayor Roberts said he respected private property owner's views, but did not think the Town or the development could "lock down" what the real impact future growth will have on Main Street. He noted Silver Pointe Estates, SITLA, and etc. will all have an impact on Main Street, when/if they are filled in. Lojko stated it is better to approach a situation by stating something like "we are looking at going this way or that, and want to avoid these scenarios..." -- instead of laying out all the possible options. He thought citizens can get overloaded with too many options. He also stated his worry that the issue was being "muddied" with some other issues in town. Roberts agreed. Howell requested that the public hearing be moved to the May 9, 2012 Town Council Meeting so as to provide more time to have open discussion; the UDOT meeting; and more time to review the agreements. Roberts agreed, and noted this agreement was crucial, and the Town needed to be very comfortable with it.

11. **FY 2012-2013 Budget** – Mayor Alan Roberts directed the Town Council to review the FY 2011-2012 Budget to ascertain the needs for the FY 2012-2013 Budget. Council Member Frank Lojko noted the delay in the next road improvement were to save funds, and said having Council Member Nate Blake stake the roads instead of Sunrise Engineering would save \$21,000. He also advised for the Town to meet with LDWA and The Leeds Irrigation Company to come to a compromise on who will fix the depressions. Roberts said he had met with LDWA regarding the final inspection and check off of their water line project. He added that the Town had not been informed nor asked to generate a punch list. He said they were working on the issue.
12. **Future of CCC Camp** – Mayor Roberts read the following report from Council Member Angela Rohr: *"There is historical interest in the Leeds CCC camp. It is the only remaining site with stone buildings. There are no water, electricity, or toilet facilities. It is not a heavily visited. The site is steep and the ground very uneven. Recent improvements include; Glazing one building (most already broken), completing and stabilizing stone stairs to the top with period appropriate railing, installing beautiful historical information signage and the Cody Allen Eagle Scout project which installed drainage around the buildings that appears to be very effective and will help stabilize them and another set of stone steps on the west side that are in disarray and pose a hazard. These steps should be posted as hazardous and do not use, dismantled or there is a bid for about \$700 to stabilize them. To be operated as a park."* Rohr recommended posting it for "enter at your own risk" and dismantling the extra steps. Then, revisit the site and evaluate the status annually. She added that the CCC Camp is off by itself and not under much supervision, and said the expense of putting in water and a toilet where high compared to the need. Roberts added that the Historical Committee asks what to do with the CCC Camp. He stated he thought it was the best interest of the Town to keep it maintained, but did not think paying a monthly water and bathroom facility cost was necessary. The idea of posting a sign stating water and bathrooms were available at the city park was discussed as a positive solution.

UPDATES BY STAFF:

13. Mayor Roberts advised that Town Council Members needed to be engaged even when "hot topics" were on the agenda, and they were charged to make decisions in accordance to the current ordinances.

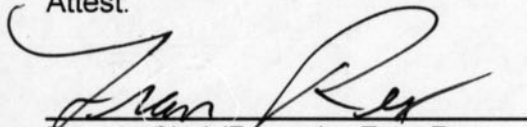
14. **Adjournment** by Mayor Frank Lojko 10:02 p.m.

APPROVED ON THIS 25th DAY OF April, 2012.



Mayor Alan Roberts

Attest:



Deputy Clerk/Recorder Fran Rex

PUBLIC NOTICE

WORK MEETING

TOWN OF LEEDS COUNCIL & COMMISSION MEMBERS
With UTAH DEPARTMENT of TRANSPORTATION (UDOT) REPRESENTATIVE

This meeting will be held on
Thursday, April 19, 2012, 11:00 a.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

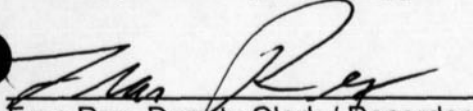
AGENDA

Up to two Town Council & Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

1. Call to Order
2. Roll Call
3. Discussion regarding UDOT Main Street and Right of Ways
4. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted April 18, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper


Fran Rex, Deputy Clerk / Recorder

**TOWN OF LEEDS COUNCIL & COMMISSION MEMBERS
With UTAH DEPARTMENT of TRANSPORTATION (UDOT)
REPRESENTATIVE**

WORK MEETING

April 19, 2012
11:00 a.m.

MINUTES

1. **Call to Order** – At 11:04 a.m. by Mayor Alan Roberts.
2. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, and Frank Lojko. Also in attendance was Leeds Contract Planner Bob Nicholson, Sunrise Engineering Representative Rick Snyder. Utah Department of Transportation (UDOT) Representatives Dana Meier, Rhett Arhell, Nathan Merrill, and Scott Snow, Horrocks' Engineers Steven Lord and John Dorny, 5 County Association of Cities & Towns Representative Kirk Hutchings, Myron Lee from the Metropolitan Planning Organization (MPO), and Deputy Clerk/Recorder Fran Rex. Also present were Town residents that filled the room to overflowing with some standing out the door.
3. **Discussion regarding UDOT Main Street and Right of Ways** – Mayor Roberts turned time to, Sunrise Engineering Representative Rick Snyder for an engineering report. Snyder noted the Sunrise Engineering and the Town have been reviewing the Traffic Impact Study (TIS) Horrocks' Engineering had prepared for Grapevine Wash. He stated he had some concerns regarding some of the mitigation plans affecting UDOT roads, and wanted to get an idea from UDOT which of the recommendations would be acceptable, and what time frame and type of the process was needed to get UDOT's support.

Roberts added they were there to discuss what type of impact the Towns existing roads were going to encounter from any developments. He noted that many residents were present due to a concern regarding a five lane Main Street scenario. In an effort to ease their minds, he asked UDOT Representative Dana Meier to give his opinion on whether a five lane Main Street could ever take place. To which Meier responded that "ever" was a long time, but that it has never been the intent of UDOT to force something upon a town it does not want. He noted it was their job to connect cities, and maintain UDOT roads that travel thru cities. He said he did not see enough growth to warrant a five lane Main Street for at least 150 years. Town Council Member Frank Lojko rephrased the issue by stating Main Street was not capable of five lanes, and that by the time there was enough traffic to warrant that type of need, a 4-Way Interchange would be established and Main Street could belong to the Town. He said the meeting was to get this assurance from UDOT. Meier's stated that UDOT works on solutions with cities and towns which their roads run through, and would want to build a system that was congruent with what the town wanted. He noted UDOT had issues with the current Split Interchange going through Leeds which compelled people to drive through Leeds, and added it was not conducive for economic growth, it was not safe, and posed several other problems. He said he would like to work with the Town on those issues, and at some point if the Town was able, willing, and desired to take over the maintenance of Main Street, it could do so. Roberts asked Engineer Snyder regarding what type of traffic on Main Street would trigger a need for change, but reiterated that currently Main Street belongs to UDOT. Rick Snyder first explained the process. He said first a developer submits a Traffic Impact Study (TIS) and the Town Engineering Firm, Sunrise Engineering, reviews it from an engineering perspective. He explained that their reviews come

from the perspective of what was feasible, and not from what should be or what was wanted. He said the GVW was proposed in three phases, and the engineers predicted what the peak hour trips per day would be for each phase. He said with using the current Interchange configuration, the phase one prediction was 8,600 vehicle trips per day, and phase three was 17,000 trips. Their recommendations ranged from a turning lane at intersections on Main Street for phase one to a new interchange when needed. Contract Town Planner Bob Nicholson stated the current rate on Main Street was 1,700 trips per day. Mayor Roberts informed that six to seven years prior, the Town of Leeds met with UDOT regarding a 4-Way Diamond Interchange because it seemed to be high on the list of what the residents wanted. He said the Town has not been as aggressive as it should have been in continuing that conversation with UDOT on establishing the Interchange. He advised that the Rural Planning Organization (RPO) would be conducting a feasibility study starting in June, 2012 to ascertain the feasibility of connectivity between Leeds, Toquerville, LaVerkin, Hurricane, and Washington. Roberts said the study would apprise of what will work, and the roads which are feasible will be further studied. He said part of that study will look at the possibility of a Diamond Interchange off from Interstate-15 near Leeds. He thought the study would show that a Diamond Interchange would be feasible, and that UDOT would like a Diamond Interchange to enable them to turn Main Street over to Leeds, but noted there were still a lot of "ifs." He asked the engineer if the projected traffic amount down a specific road in the study took into account the possibility of other roads. Mr. Snyder said Sunrises response to Grapevine was that the study should include the anticipation of a Diamond Interchange and possible traffic from Toquerville. Mr. Meier's stated this was a planning issue and gave "kudu's" to Leeds for being part of the RPO. He said there was also a Metropolitan Planning Organization (MPO) for larger cities. He said these organizations put out a long range plan, identify many projects in the plan, and ascertain what the impacts will be. If a change takes place, and a different need is identified, then it goes thru the environmental process (during which the town has the ability to voice what they want a facility to be and look like). He noted this was the evolution of the process. He reiterated that responding to the growth of a community starts with planning, and noted Leeds was on the right track in looking ahead to decide what it wanted the Town to look and feel like, and what values it wanted to preserve. He added then the Town had to decide how to accommodate growth and preserve those values.

Nicholson stated that from a planner's standpoint converting Main Street to a five lane street was not the answer. He said Leeds Main Street should be developed into a "complete" street which accommodated the needs of all users, and added it should provide for on-street parking, bike lanes(s), sidewalks, beautification, and driveway access as per the existing condition. He said that with sixty feet (60') of pavement width, the street could be designed with 1) a combined parallel parking lane and bike lane of 13 feet in width on each side; 2) Two twelve feet (12') wide travel lanes; and 3) A ten foot (10') wide center turn lane. He concluded that such a street design would provide Leeds with a comfortable, efficient and functional Main Street. Using an engineering formula, Nicholson figured that an acceptable level of service for Main Street was an excess capacity of 7,300 vehicles per day (vpd). He said this capacity equals approximately 730 single family dwellings (assumes 10 trips/day). Thus 730 new single family equivalent dwelling units utilizing Main Street would take Main Street to capacity at LOS 'C'. Council Member Angela Rohr recapped Nicholson's comment by restating that currently Main Street could handle two lanes, a turn lane, a bike lane, and parking, to which Nicholson agreed and said it would be beautiful, functional, and comfortable even with 9,100 vpd. He said if this type of Main Street was what the Town wanted, then it needed to focus on establishing a 4-Way Interchange. Roberts stated this seemed to be the desire of most comments made throughout the General Plan Process -- that Leeds was more in favor of a 4-Way Interchange at the north end of town. He noted this could either mean to change the current 2-Way Interchange to a 4-Way, or create a new 4-Way at a different location. He noted this was contingent upon growth which may or may not happen. Roberts then reiterated that planning was necessary for possible growth. He explained that a certain number of homes in the proposed Silver Pointe Estates development would trigger the requirement for a second access in that development, and added that currently, the Silver Reef area was just one big cul-de-sac. He said it was the Town's responsibility to look at logical pathways for roadways in order to meet the safety needs. Council Member Nate Blake noted an increase of traffic is not only based on the number of residents in a certain development, but also due to traffic directed from other roads. Council

Member Frank Lojko said he was completely opposed to Main Street becoming a heavy traffic road; he did not want heavy traffic coming by the park; suggested the Grapevine Wash Development look at other options for their second access; noted Leeds needed a 4-Way Interchange; reiterated that engineers only look at where a road can go, but not the practicability of it; and noted a developer may only be able to put in 400 or so homes until a 4-Way Interchange is put in.

Noting UDOT was limited on saying what the future of roads would be because of unknowns, Roberts, then asked UDOT representative Dana Meier what type of process the Town needed to complete to establish a new interchange. Mr. Meier said the process was as follows:

- 1) A project needed to be on some lists, and the Leeds 4-Way Interchange was currently on the Rural Planning Organization (RPO) list;
- 2) It goes through a limited cost/benefit analysis as part of a feasibility study. He noted the possible Toquerville bypass was also on the list for a feasibility study.
- 3) If it is feasible, and is identified as a need, and there is support for a project, it gets placed on an Environmental Document which could be accomplished by one of the following levels:
 - a. **Categorical Exclusion:** a simple project with little impact and does not need a lot of time and money spent on an environmental assessment to know the needs and issues.
 - b. **Environmental Assessment (EA):** a study costing about one million dollars and takes approximately one year to complete.
 - c. **Environmental Impact Study (EIS):** a study at the level of the southern parkway and takes approximately one year to complete.
- 4) Once at an EA state, a project is in the "pipeline" and should look for funding within a three year window. The funding needs to be identified or the Environmental Document will lapse.
- 5) If Leeds interchange gets into an Environmental Document. Before an EA is funded, it needs a lot of support and possibly community participation. He noted that a project on an EA is not automatically guaranteed funding because there are many communities competing for the limited State and Federal funds.
- 6) He said one way to show community support/participation, and to accelerate the project would be to come up with some type of matching funds.

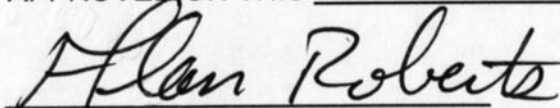
Mr. Meier noted it may be premature to be make an offer, but it was not premature for the town to be strategizing of how to achieve the Towns goals and have the project completed, and reiterated that matching funds could help move a project up on the priority list, and stated other cities such as St. George, Washington and Cedar City have all done this in the past. He suggested that since Leeds had limited funds currently, it could "get creative with developers and earmark some impact fees" to help fund projects the Town perceives will need to happen. He said the continued participation with the RPO was important because they identify the projects and give engineering justification for the purpose and need of the facilities. He noted he attends the RPO Board meetings and could be of assistance in giving recommendations and advice in moving the project forward. He concluded stating there were other factors that come into play, but local participation and support were among the biggest factors. Mr. Nicholson asked if Leeds needed to do an environmental assessment in order to get on the UDOT STIP (State Transportation and Improvement Plan) list. To which Mr. Meier said no, you have to be on the UDOT Long Range Plan, and then get an environmental assessment funded. He said the RPO recommends and forwards projects to the UDOT Long Range Plan. He reiterated that a Leeds Diamond Interchange was currently on the RPO list. Mr. Snyder then introduced Kirk Hutchings, a Representative of 5 County Association of Cities & Towns. He invited the public to Hutchings office to ask questions and view maps of proposed roads and interchanges.

Mayor Roberts said he thought it was safe to say the general direction of the Town regarding Main Street was the above suggestion from the Contract Planner Bob Nicholson which would only add a designated center turn lane. Nicholson added he did not think the Town would want to eliminate street parking to accommodate five lanes; therefore, the solution was to focus on other ideas of which the 4-Way Interchange seemed the best alternative. Mr. Meier's stated Main Street did not currently have enough asphalt to meet UDOT's standard for a five lane street

and this would cause a major overhaul of the street. He said UDOT would not want to make Main Street a five lane street due the cost. Council Member Joe Allen asked the approximate cost of a 4-Way Interchange, to which Meier's stated the feasibility studies may answer this, but the cost would depend on whether they transformed the existing north bound 2-Way to a 4-Way which would include obtaining rights-of way or relocating and/or compensating the building nearby; or if they built a new one further north, which would include federal approval. He said the location approval would require several steps. Council Member Angela Rohr asked if leaving the south interchange open was possible for Harrisburg residents, to which Mr. Meier said preserving it was not "off the table," but it has been identified as a safety concern, and the safety issue would need to be mitigated if the interchange remained. He said another possibility was a new 4-Way Interchange further south and closer to Harrisburg, but a feasibility study would need to be conducted. Roberts noted that the engineer had to look at what the possibilities were for traffic in terms of numbers, and the Town had no plans to enlarge Main Street, and that UDOT had no plans to enlarge Main Street. He asked Mr. Snyder from Sunrise Engineering if the above numbers from Bob Nicholson were realistic, to which Snyder agreed. Snyder said Sunrise Engineering would now evaluate the traffic study from the above perspective. Snyder asked Meier's if he wanted to be part of the review. Meier's said they would like to stay involved with the discussion, and noted the names of who would need to be contacted. He reiterated the best place to start with the issues was the RPO. Snyder asked how the funding would work for a proposed Diamond Interchange. Meier's stated that UDOT did not work with developers and did not take money from developers, but UDOT worked with towns, and it was up to the town to assess impact fees from development. Snyder asked if a town did not own the road, if it could assess impact fees, to which Meier's responded this was tricky since the development should fund the needs. He suggested phasing the process, then after so many "roof tops," a certain amount of money from the development be placed into a fund for a needed infrastructure such as a turning lane or 4-Way Interchange. Nicholson asked if the Town would be responsible for a certain percentage of funds, to which Meier said UDOT owns the road and will fund the project, but reiterated added funds from the Town may accelerate the project. Joe Allen asked if a town could assess impact fees for a 4-Way Interchange, to which Roberts stated the Town could, but if the project did not go through, they would need to refund the impact fees. Allen then asked what the time frame was, to which Meier's responded there were many uncontrollable variables such as funding and priority. He noted that when Washington wanted Interchange 13, they formed a committee to look at the issues and challenges. He said the advantage now was the RPO process, and reiterated working through the RPO. Mayor Roberts noted that Sunrise Engineering "drove this meeting" to find out what the Town wanted and could do with working with UDOT.


4. **Adjournment** by Frank Lojko 12:02 p.m.

APPROVED ON THIS 9th DAY OF May, 2012.



Mayor Alan Roberts

Attest:



Deputy Clerk/Recorder Fran Rex

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, April 25, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

BUSINESS SESSION:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from April 11, 2012 Town Council Meeting
6. Announcements:
7. Financial Statements for March 2012
8. Citizen Comment: *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item.*

REGULAR MEETING:

ACTION ITEMS:

9. Discussion and Possible Recommendation of Proposed Conditional Use Permit Application Category III

WORK SESSION:

DISCUSSION ITEMS:

10. Discussion regarding not allowing Grapevine Subdivision 2nd access through Babylon Mill Road.
11. Preliminary FY 2012-2013 Budget discussion

UPDATES BY STAFF:

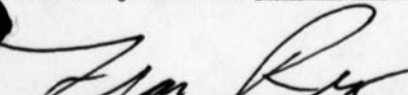
- 12.

CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).

13. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted April 24, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Fran Rex, Deputy Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

April 25, 2012,
7:00 p.m.

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:05 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** – Was led by Frank Lojko
3. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Frank Lojko and Angela Rohr arriving at 7:10 p.m. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Attorney Heath Snow arriving at 7:22 p.m., and Deputy Clerk/Recorder Fran Rex. Also present were Town residents that filled the room to overflowing with some standing out the door.
4. **Declaration of Abstentions and Conflicts by Council Members** – Joe Allen informed he was a real estate agent, and MSH Investments was one of his clients regarding a property on Kolob Mountain. He added that MSH Investments was also one of the property owners in the Grapevine Wash Development. However, Allen stated he did not have a conflict regarding the action item on tonight's agenda.
5. **Consent Agenda** – Mayor Roberts said that due to the number of people on the sign-up sheet, a two minute time limit for comments would be set during Citizen Comment (item 8); however, he added comment matter could be repeated. Council Member Angela Rohr arrived at 7:10 p.m. **A Motion** was made by Angela Rohr with a **second** by Nate Blake to amend the consent agenda to move Item #10 as an action item. Mayor asked for any discussion. Council Member Joe Allen asked if this could be done since it had not been noticed as such. Council Member Nate Blake said he had asked it to go on the agenda as an action item. Mayor Roberts asked Planner Bob Nicholson to explain land use issue process procedures. Contract Planner Bob Nicholson stated he understood that the proposed Babylon Mill Road (200 North) to Old Babylon Road (900 North) connection was on the Leeds Master Road Plan. He said if this is the case, State law states any change to the Master Road Plan must start at the Planning Commission level. He said they must consider it, conduct a public hearing, and then forward it to the Town Council with their recommendations. He added that the Town Council also must consider it and conduct a public hearing. He said a Master Road Plan is one element of a cities' General Plan. Roberts asked if the Town would be non-compliant with State Code if it attempted to take action on a land use item without following that process, to which Nicholson said "absolutely, it would be an illegal act." He noted that State Code was very clear on the process of amending a General Plan. Roberts asked those making the motion if they would like to continue with the motion or withdraw it. Rohr asked to clarify if the motion would be an illegal act, to which she was answered yes by Roberts. Blake asked if other verbiage would change it from a land use issue, to which Nicholson answered it could be discussed, but reiterated anything related to the City General Plan – including the Master Road Plan must start at the Planning Commission level with a public hearing (which includes 10 days' notice). Resident Danielle Stirling stated they were not asking to take it from the ordinance, but just to take it out of the proposed Grapevine Wash (GW) Development Plan. However, Mayor Roberts stated it still was a land use issue. Nicholson stated by taking it out of the GW Plan, it would be taking it out of the Master Road Plan. Again, Roberts asked those making the motion if they would like to continue with the motion or withdraw it. The council took a few minutes to discuss it. Joe Allen said he did not mind discussing the issue, but proper notice needs to be given for action. He did not want to make a decision that night which could be challenged. He said proper procedures should be followed. Rohr **withdrew her motion** for an amendment to tonight's agenda and agreed to leave it as discussion, and Blake **withdrew his second**. **A Motion** was made by Joe Allen with a **second** by

Mayor Roberts to **Approve Tonight's Consent Agenda**, including **Minutes** from the **April 11, 2012** Town Council Meeting. Roberts asked for any further discussion. **Four Aye** votes were given, and **one nay vote** from Angela Rohr. Roberts asked Rohr the validity of her nay vote. She stated she did not agree due to the tremendous public response on the particular issue; she thought that the agreement may be on the Town Council agenda for action on May 9, 2012; and there would be no time for the issue to go to the Planning Commission beforehand; and wanting the present public to understand some of the details. It was noted that legal counsel Attorney Heath Snow had arrived at 7:22 p.m. Mayor Roberts explained to legal counsel regarding the motion to amend the agenda to move a discussion item to be an action item. He noted the discussion item was a land use issue and State Code required it to start at the Planning Commission level. He asked Attorney Snow how open the Town would be to being challenged by the State Attorney General's Office if the Town did not follow the correct procedures. Snow answered that action items need a 24 hour notice, to which Blake said the item was submitted as an action item, but was put on as discussion. Snow answered that State Law requires certain procedures, and the first step is proper notice for an action item must be given, regardless of how it was submitted. He added that depending on the action being taken, such as an access or road dedication, it may need to be reviewed by the Planning Commission first. **Council Member Frank Lojko** asked if a developer had a development plan listing Old Mill Babylon Road as one of the access points, but the council decided they would prefer the road not be used and take it out of the General Plan, but not taking it off the Master Road Plan yet. What action could the Town take to do this? **Snow** noted the road was on the Road Master Plan and identified in the General Plan. He said the State had a very specific procedure to amend a General Plan, and added one of those requirements is it must begin with the Planning Commission. **Lojko** clarified he was not asking about amending the Master Road Plan, but that in a General Plan with Grapevine, the council did not want to permit them to use Babylon Mill Road (200 North) as a second access, but require them to find another alternate road. He asked legal counsel if the council have the right to do that. Snow clarified the question as "if the road is identified on the Towns Master Road Plan, and the developer has shown it on their proposed development plan as being a means of access, can the Town reject it?" To Which **Lojko** agreed this was the question. **Attorney Snow** answered "sure." **Planner Nicholson** said another part of the question is. If you leave it on the Master Road Plan, but the property owners do not want it crossing their property, and the town is not inclined to approve it --- you are basically saying you won't use eminent domain to condemn it. **Lojko** said the reasons for not wanting this access was because it went by the city park; they did not want to add traffic onto Main Street; and they did not want to pursue eminent domain. He asked, "Without amending the general plan, can the town dictate that a developer must find a different second access"? If the property owners have clearly indicated that they are not going to voluntarily give access, **Lojko** said he wasn't sure the Town should be approving plans if they know there was no chance of an access. He said if the town approved the plan, the developer would need to negotiate with the property owner to grant right of way. He felt it was pointless to approve the plan if they could not get the access they asked for. **Elliot Sheltman** asked if the eminent domain phrase could be discussed and taken out of the agreement that night because that was the issue the public was there to address. At this point, **Attorney Snow** realized that the discussion was about the Grapevine Wash Development Agreement. He stated he had added the following phrase to the agreement: "*The decision whether or not to exercise the power of eminent domain is within the sole and reasonable discretion of the Town.*" **Lojko** said the question people have asked was why this phrase was in the development agreement if the Town did not plan to eminent domain. **Snow** noted it did not need to be in the agreement, and said the agreement was drafted by the developers' council, and when Snow's office reviewed it, they added the above phrase to protect the Town against contractually binding itself to use eminent domain. He reiterated the phrase could be taken out. **Lojko** said they would not be having this problem if the intent language were changed to eliminate the term "eminent domain" and the idea of using "Babylon Mill Road (200 North) as a second access". Attorney Snow noted that whether or not the term "eminent domain" is used in a development agreement, a town always has the option to use eminent domain or not. A clause saying a town may use "eminent domain" does not contractually obligate it to do such. The clause is "surplus." He stated he would never recommend that a city obligate itself to use eminent domain. He said that was a special power which should only be reserved for the elected officials to use. **Roberts** informed that the above agreement was still in draft form bouncing back and forth between the Town Administration (i.e. Town Council); the Town Legal Staff; and the applicant's Legal Staff. He said the Town Attorney counseled the Town not to indulge in the draft agreement yet until it bounced back and forth between the attorneys and they were more comfortable with the language. Roberts said he thought it was important for the Town Council to look at it, engage in it, get the language they were comfortable with, and get input from the public, so the public was comfortable with it. He said he did not want them to try and make it a land use issue that would get the Town in trouble from the General Attorney's Office for not following procedure. He reiterated to the Council to engage in the draft agreement and energetically stated it was only a draft agreement until the Town and the

applicant were all comfortable with the language, and it was approved. **Attorney Snow** said the discussion gave him the general direction the Council would like him to go. He said he would make sure future drafts eliminated the eminent domain section. A motion was made by Angela Rohr with a second by Nate Blake to **Approve Tonight's Consent Agenda**, including **Minutes** from the **April 11, 2012** Town Council Meeting and Closed Meeting Session. An **Aye** vote was **Unanimous**.

6. **Announcements** – None

7. **Financial Statements for March 2012** – The Council reviewed the financial statements. No comments were made

8. **Citizen Comment** – Time was given for the following citizen comments:

Danielle Stirling – said that in 2007 when the Town passed the Master Road Plan Ordinance 2007-15, she was told the Master Road Plan is a speculative plan. Now she was concerned that a developer would use the Master Road Plan to plan for access roads to their proposed development. She asked if the Town Council could amend the ordinance before the Town Council voted on the Grapevine Wash Agreement.

Britton Stirling – said his land was next to the Stirling Farm. He stated that in no way, shape or form did he want the Town Council to use eminent domain to take away his property. He said it was rumored that an easement already existed through his ground, but denied there was an easement.

Dick Higgins – said he understood that eminent domain was for the benefit of the public and not for the benefit of a developer's pocket.

Ron Whitmer – seconds all the voices against eminent domain. He said he loved Leeds just as it is.

Brandi Stevens – said she was concerned with dogs running loose, and children being bitten.

Rick Carson – Asked to defer his wife's two minutes to himself. He said he supported Danielle and Elliot's positions, and voiced concern regarding the conditional use permit (CUP) application. He said the rental property was a source of loud noises from ATV's at 7:30 a.m.; children close enough to see through his bathroom window; and the applicant's children playing in his yard. He said such situations could not be controlled with a rental property.

Ron Cundick – said he endorsed the comments made regarding Grapevine Wash and Babylon Mill Road. He also commented regarding the CUP, and stated the residential zone only allows for a Home Occupation Business use. He did not think the current application qualified for a category III conditional use, and did not think there was a basis for approval.

Cyntha Wright – said as a real estate broker she has worked to resolve many of these types of issues. She noted there were many diverse people to consider, and we needed to look at the ordinances, laws, guidelines, and let the voice of the people be heard. She advised to come together without personal agendas for the right thing for the good of the community. She added there were many economic problems in the world, and this was a rural community with farms, and should be moving towards a self-sustaining life style. She said many who had moved to Leeds came because the above concept, and may not want bright lights, large roads, crime and etc.

Dave Harbour – commented on the draft agreement he had read. He noted the introduction amendments said the developer could make changes by consulting the Town, but did not say "it needed Town approval." He thought this was bad. He asked who was supplying the water for the development. He noted the high density. He noted that permitted uses such as health care facilities and hospitals may open doors to facilities such as prisons and drug abuse places. If the Mixed Use and multi-family ordinance prevents something, the agreement should not allow it. Need impact fees for storm water, police, road maintenance & etc. He said the agreement should not be the final word for any dispute between the Town and developer, and cautioned to get it right before signing. He informed that a town could use eminent domain whether it was in an agreement or not. And stated his opinion that the Town needed to grow, but it needed to plan, and plan efficiently. That it had looked at a diamond interchange because this would keep the traffic from this development off from Main Street.

Penny Weston – said the Town should uphold the CC&R's of Silver Reef Highlands regarding the CUP applicant. She noted the Washington County Website parcel survey lines were not always correct, and said some of them go right through current houses. She added that a large amount of traffic going by the Town Hall and park would destroy them.

Drake Howell – Representative of the Grapevine Wash Development extended an invitation for citizens to attend an open house for Grapevine Wash at the Town Hall from 5:00 p.m. to 8:00 p.m. He said he wanted to make himself available to the public for questions and answers. He noted that some of the concerns were valid and needed to be addresses and maybe corrected. He asked that the Town not "push the pause button" on the Grapevine Wash Development Agreement approval process. He said Grapevine had been working with the Town since 2005, and it has been a lengthy process, and said he looked forward to continue working with the Town to resolve issues.

Dennis Bud - was concerned with public safety regarding the CUP application and GVW Development. He said Leeds already encounters some illegal uses. He said many transient people were visiting the house next to his, although a police traffic log reported that traffic stops are mostly residents. He said there was a tipping point for signs of disorder which leads to crime. He said he was concerned Leeds could absorb transient population. He also stated his concern with the unintended consequences of not having enough impact fees in place to.

Mr. Saint Laurent – said he has seen developers promise things, like jobs, which they did not deliver. He said they only delivered pollution and crime. He said he felt the development was already a done deal.

Don Cleveland – said he had several autistic children and moved to Leeds because of the feeling here. He said he did not want a five lane Main Street, or the type of growth as St. George.

REGULAR MEETING:

ACTION ITEMS:

9. **Discussion and Possible Recommendation of Proposed Conditional Use Permit Application Category III** – Mayor Roberts turned time to **Contract Planner Bob Nicholson** to present his staff report. Nicholson stated Attorney Heath Snow had also weighed in on the report, and he read it as follows:

Background:

The applicant is the home owner at 1169 High Desert Road which is located in an R-1-2 zone (2 acre minimum lot size). The R-1-2 regulations are found in Chapter 14 of the Leeds Zoning Ordinance. In the R-1-2 zone Single-family dwellings are listed as a permitted use, and also a casita but cannot be rented out. Also in the R-1-2 Zone 'Home Occupations' are listed as a conditional use requiring a Conditional Use Permit. Uses not specifically listed in the code are considered 'not permitted'. Section 24.1 of the Leeds Zoning Ordinance states "a home occupation shall mean the conduction of any business, transaction or activity for which compensation of any nature is received, in any zone classified as residential under the zoning ordinance". Based upon this definition the proposed use by the applicant is a 'Home Occupation'. Although Chapter 14 (specifically 14.3.1) of the Leeds Zoning Ordinance (Residential Districts) indicate that a Home Occupation is a conditional use in any Residential Zone, Chapter 24 (specifically 24.2.5) only permits certain types of Home Occupations. Subsection 24.2.5.3 states that any home occupations which are not listed as permitted or conditional under Sections 24.2.5.1 & .2 are prohibited. As such, in order for the applicants proposed use to be considered an appropriate Home Occupation (thus triggering his ability to request/possibly obtain a Home Occupation License under Chapter 24 of the Leeds Zoning Ordinance, which would in turn trigger applicant's ability to request/possibly obtain a Conditional Use Permit (CUP) pursuant to Chapters 14 & 7 of the Leeds Zoning Ordinance) the Town Council would need to determine that the applicants proposed use (short term or vacation rental) is listed or liken to one of the permitted or conditional uses listed in 24.2.5.1 or 24.2.5.2. Although not expressly listed, short term or vacation renting of a single family residency may be construed as being liken to a Bed & Breakfast. Therefore the question is "whether a short term (less than 30 consecutive days) of a single family residence ("Residential Rental Property") essentially the same use as a 'Bed& Breakfast Inn'? The State of Utah requires a 'Transient Room tax' be collected and submitted to the State for all rentals of less than 30 days. There are some key differences

between a Bed & Breakfast Inn and a "Residential Rental Property" and therefore not essentially the same use. A Bed & Breakfast Inn is typically an owner-occupied and managed establishment or resident-managed establishment where the owner or resident checks guests in, provides breakfast in the morning, and lives at the premises to manage the home and provide over-sight that the home does not generate excessive noise or otherwise disturb neighbors. A "Residential Rental Property" typically implies that the home is available for short-term rentals (less than 30 days and usually for overnight or weekly rental) and a resident manager typically does not live at the home but guests pick up keys from a property manager off-site or the manager arranges to have the keys available through some means. The guests are typically unsupervised and no meals are provided.

Recommendation:

Staff recommends denial of the CUP request for a "Residential Rental Property" because the use is not included in the list of permitted or conditional uses identified in Sections 24.2.5.1 and 24.2.5.2 and it is substantially different from a "Bed & Breakfast Inn". The PC recommended denial (4-0) for the above reasons but also due to concern over wildland fires, and Section 24.2.4 of the Leeds Zoning Code which states that a Home Occupation Business License shall not be issued if the proposed use will violate CC&Rs or other deed restrictions on the property. Staff has not engaged in a thorough analysis of the CC&Rs for the Silver Reef Highlands Subdivision (where the subject Property is located) but it is understood that there may be some conflict between that subdivision's CC&Rs and the proposed use. Also if the CUP is approved by the Town Council then the PC recommends occupancy limits be placed on the property due to septic tank capacity, and parking concerns.

Findings:

The main finding is that the proposed use is not considered a permitted or conditionally acceptable home occupation pursuant to Chapter 24 of the Leeds Zoning Ordinance and thus it is not an acceptable conditional use in the R-1-2 zone pursuant to 14.3.1 of the Leeds Zoning Ordinance, and that the proposed use is substantially different from a 'Bed & Breakfast Inn', and it appears that the proposed use may violate the CC&Rs for the Silver Reef Highlands subdivision based on comments from the representative of the Home Owners Association, and therefore a Home Occupation Business License could not be issued based on section 24.2.4 of the Leeds code.

Mayor Roberts then gave time for the Applicant or his representative to address the council. Attorney Russell Mitchell stated he was from the Law Firm Jones, Waldo, & McDonough. Attorney Mitchell said "permitted uses" are a "gate keepers." He asserted one needs to decide if something is a permitted use by using the definitions in the Land Use Chapter 1 and brought up the following points from Land Use Ordinance 2008-04:

- a) Land Use Ordinance Chapter 14 - 14.2.1 of permitted uses in residential districts R-1-2 included a "Single family dwelling." It says to "see definitions"
- b) Land Use Ordinance Chapter 1 - 1.6 Definitions opening paragraph reads. "the word "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased or intended to be used if occupied" He interpreted that "the word "used" or "occupied" meant "rented or leased"
- c) Land Use Ordinance Chapter 1 - 1.6 the definition for "Dwelling, Single-family" reads in part, "A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit." He interchanged the word "occupied" with "used", "rented" and "leased"
- d) Land Use Ordinance Chapter 1 - 1.6 The definition for "Family" reads, "An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than four (4) persons (excluding those who qualify under the definition of casita) who are not related, living in a dwelling unit as a single housekeeping unit."
- e) He interpreted that "a permitted use in a residential zone is a building that is rented or leased (replacing the word "occupied") by a family (blood relatives). He stated his client's intent is to rent his home for a week at a time to families, and noted his clients restrictions comply with the zoning.
- f) He noted that according to the above interpretation of the Leeds Ordinances "a permitted use" in a residential zone (R-1-2) is permitted to have rentals and leases and does not say anything to limit the amount of time in the definitions. He stated he did not find anywhere in the Leeds ordinances a minimum time limit for rentals and leases.
- g) He stated there were no other restrictions regarding rentals in the Leeds code such as a thirty day minimum
- h) He did not think his client should have been required to file for a conditional use permit; and stated the code did not require the Town to rely on the tax code to define a "permitted use" in a residential zone. He said section 1.6 opening paragraph reads: "Words used in this Ordinance but not defined herein shall have

the meaning as defined in any other Ordinance adopted by the Town of Leeds, and if not defined in any Ordinance, as defined in the latest Webster's Collegiate Dictionary." He said it does not refer one to take definitions from the Utah Tax Code or Utah Land Development Act, or any other Utah code to define what is a permitted use in the Town's residential zone.

Attorney Mitchell concluded by reiterating his opinion that his client applied for a conditional use permit (CUP) based on misguided information, and should not have been required to file for a CUP; therefore, the council should only be looking at chapter 14 permitted uses. He said whether they like it or not, the Town's ordinances allow people to lease or rent their own home for a year or a shorter period of time. He further stated that laws needed to be applied equally, and if the Town denied someone to lease or rent their house, and then allowed others to do so, this would not be applying the ordinances equally. This would be considered a "takings" and would need to be given compensation. He said it did not violate the current Home Owners Association (HOA) CC&R's. He noted that the HOA had lapsed in 2008, and the HOA was recently advised to amend their CC&R's to disallow short term rentals, but reiterated his client did not violate the current CC&R's. He said Leeds Home Occupation Ordinance was so broad it included any transaction that created compensation – even selling a car. HOA member **Rita Naase** stated the applicant rented the house for four to five nights to 5-6 families at a time. **Council Member Joe Allen** quoted the following definition of "dwelling": "Any building or portion thereof, which is designed for use for residential purposes, except the following: hotels, apartment hotels, boarding houses, lodging houses, motels, apartment motels, fraternities, sororities, trailers, mobile homes, or dormitories." He noted there was no mention of a vacation rental, but said he thought the applicants type of use best fit the definition of "hotel". He read the following definition of "hotel": "A building designed or occupied as the more or less temporary abiding place of fifteen (15) or more individuals who are, for compensation, lodged, with or without meals, and in which no provision is made for cooking in any individual room or suit. Individuals may not reside at this location for more than thirty (30) days in any one twelve (12) month period." He reiterated he thought the proposed use best fit the definition of "hotel," and stated hotels were not a permitted use in residential zone (R-1-2). **Mitchell** referred to the definition of "dwelling" and said a dwelling did not exclude renting your home. He reiterated his above bullet points regarding definitions of "family" (including 4 individuals), and "hotel" (set up to accommodate a large number of unrelated people). He said the home was not set up as a hotel, but as a home (which was conducive for leasing). He said if it was leased to a family, it fits within the category of a home. There was further discussion regarding definitions. **Mitchell** then said if the Town wanted to limit rentals, it should address them specifically in the ordinances in the future, but currently the ordinances did not limit rentals. **Council Member Frank Lojko** stated it was the responsibility of the owner to do the research. He said the property was advertised available for vacation rentals and not a family dwelling. He also noted it did not have insurance for that type of business. He added that activities such as allowing renters to drive ATV's through neighbor's yards put the community at risk. Lojko said he thought the owner knew he was violating the rules. He added that he thought the law would say the Town had good intentions for the ordinance to mean "no short term rentals." Lojko also noted that the home was now up for sale. Mitchell countered that the owner did not have legal counsel when he started the business, and has since withdrawn the offensive part of the ad. Mayor Roberts asked **Attorney Heath Snow** for comment. Mr. Snow said if you only look at Chapter 14, one needs to decide whether it is a "permitted use" or a "conditional use", because if it is neither of the two, it is a prohibited use. Snow noted that Mr. Mitchell would argue it was a permitted use; whereas he would argue it was a conditional use. He then stated the following from Land Use Ordinance 2008-04:

- i) Land Use Ordinance Chapter 14 - 14.2. "Permitted Uses" – the only use that might possibly apply is "Single Family Dwelling."
- j) Land Use Ordinance Chapter 1 – 1.6 "Definitions" - "Single Family Dwelling" limits occupants to one (1) family. He said the applied for use was not a single family dwelling; therefore it would need to be a "conditional use."
- k) Land Use Ordinance Chapter 1 – 1.6 "Definitions" - "Dwelling" combined with the "Single Family Dwelling" gives the complete ordinance meaning. He noted that "dwelling" exempted certain types of buildings as being defined a "dwelling." Among those exemptions are "boarding house" and "lodging house." He stated that clearly the house was being used as a boarding house or a lodging house. Therefore; the vacation home use cannot come under the definition of "dwelling" or "single family dwelling."
- l) If it is not a permitted use, the only other thing it could be is a conditional use.
- m) Land Use Ordinance Chapter 14 - 14.3.1 "Home Occupation"- is the closest corresponding conditional use, and a vacation rental did not correspond with home occupation.
- n) Land Use Ordinance Chapter 14 - 14.3.10 "Unlawful Uses" - states "all uses other than those set forth as permitted or conditional uses above are unlawful."

- o) Land Use Ordinance Home Occupations Chapter 24 – 24.1 "Definition" clearly states in part... "a home occupation means the conduction of any business, transaction or activity for which compensation...is received...." Mr. Snow noted that although the definition was broad, the applicant met this definition, so it clearly was a home occupation use.
- p) Land Use Ordinance "Home Occupations" Chapter 24 – sets forth a list of home occupations not requiring a conditional use permit (24.2.5.1), and a list of those requiring a conditional use permit (24.2.5.2). And states that uses not noted in either list are prohibited (24.2.5.2).
- q) He noted the only thing staff could see that was anything like what the applicant intends to do is a bed and breakfast, but noted the staff report indicated it was not a bed and breakfast due to having no onsite manager or providing meals.
- r) It was noted that Attorney Ence indicated he interpreted that the use, although not expressed, did violate the Home Owners Association CC&R's according to a telephone conversation between Ence and Attorney Heath Snow.

Attorney Snow concluded by stating staff interprets the use to not be a permitted use under "single family dwelling" because it is a "lodging house" or a "boarding house." It is not a "conditional use" because it is not the type of "home occupation" allowed in Land Use Ordinance chapter 24. These are the findings he would recommend. He noted he did not think it was necessary to address the discretionary things such as detracting from the neighborhood; being operated by a resident; or violating the CC&R's since the first step was for the Town to decide if it was a permitted use or conditional use and reiterated it was neither; therefore under section 14.3.10, it is unlawful. Attorney Snow said; therefore, if it is not a "single family dwelling" or a "home occupation" it is unlawful. He said his concern is an approval would be performing an ultra vires act and the council would be approving something beyond the scope the council is authorized to do if they approved the conditional use permit application. A **motion** was made by Nate Blake, with a **second** by Frank Lojko to deny the conditional use permit category III application for 1169 High Desert Road. Lojko asked legal counsel if the motion should include the definition findings as well as any violations regarding CC&R's. Attorney Snow suggested augmenting the motion by adding it is based upon the findings in the staff report. Lojko then suggested a **friendly amendment** to add "this is based upon the findings in the staff report." Nate Blake **amended the motion**, and Frank Lojko **accepted the amendment** to read: "**a motion to deny the conditional use permit category III for 1169 High Desert Road based upon the findings in the staff report.**" The following Roll Call Vote was taken:

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	x	_____	_____	_____
COUNCIL MEMBER JOE ALLEN	x	_____	_____	_____
COUNCIL MEMBER NATE BLAKE	x	_____	_____	_____
COUNCIL MEMBER FRANK LOJKO	x	_____	_____	_____
COUNCIL MEMBER ANGELA ROHR	x	_____	_____	_____

The motion to deny CUP for 1169 High Desert Road was Approved X Rejected Failed

WORK SESSION:

DISCUSSION ITEMS:

10. **Discussion regarding not allowing Grapevine Subdivision 2nd access through Babylon Mill Road** – Mayor Alan Roberts gave time to **Council Member Nate Blake** to introduce the topic. Blake stated he had tried to make this an action item to eliminate Babylon Mill Road (200 North) as a second access to the Grapevine Wash Development. He turned the time to **Attorney Karla Stirling**, representative for the Stirling's, for comment. She read a prepared document suggesting proposed changes to the current draft Grapevine Wash Agreement (see attached). **Blake** suggested the council send the agreement back to the Planning Commission to work through the fine tune issues. He said he liked Attorney Stirling's point of going in phases to see what Leeds would get out of it and know how things would operate in the future. **Mayor Roberts** stated the agreement was now before the Town Council for review because the Town Council is the government body which handles Town agreements, but it was the Planning Commission that first reviews land issues such as a road master plan. He said the Town would like to task the Planning Commission to review the current 2007 Leeds Master Road Plan. He added that although many live in Leeds and have moved to Leeds because of the small town atmosphere (including himself), the Town

has to be cautious regarding what they allow or deny a property owner to do with their property and in exercising their rights as property owners. He noted that it was important for the Council and Commission to leave emotions and "I feels" out of their discussions, and concentrate on upholding the ordinances, laws and zoning. He counseled the Town Council to be actively engaged in looking at the proposed draft agreement to see what the Council agreed with and what it did not agree with. **Planning Commission Chair Jared Westhoff** clarified with Mayor Roberts that the Town would like the Planning Commission to review the 2007 Master Road Plan, and then asked if he could make a correction on one of the points alleged by Attorney Stirling. He stated that although he may have made a motion on the approval of the 2007 Master Road Plan, Dave Harbor was the Town Council Member who worked on and prepared the 2007 Master Road Plan. He said he did no work on the plan and added his own assignment was to work on the sewer and water at that time. **Blake** noted that GVW had proposed that when they build their 101st unit, if their second access could cross over BLM property, through Stirling's fruit farm, up Babylon Mill Road past the city park and Town Hall. He said he thought there were other properties available the development could use for a second access. **Westhoff** noted that Santa Fay tried to approve a development in phases, but the process did not work properly. Roberts counseled it was important to remember that people who own property have the same rights as all the other property owners. He said that when the Town went through the General Plan update process with Form Tomorrow, the concluding maps showed that people thought mixed use and higher density made sense for the Grapevine Wash area. He cautioned regarding not allowing people to exercise their property rights. He noted the Town had the right to manage the growth; and to say no if an area was not zoned for a particular use, but it did not have the right to control other people's property. He said if someone wants a property to be left untouched, they could purchase the property and not build on it; otherwise, they had little say. **Danielle Stirling** added she would like her private property left untouched, and alleged their legal counsels' quick overview of the draft agreement found problems that Leeds Counsel had not yet reported. **Roberts** responded saying the document was still in very Draft Form, it was an ongoing process, and has not yet been reviewed completely by the Towns Legal Staff. **Karla Stirling** noted her concern about how much the Town might have to subsidize the development. Angell Springs resident **Betty McKnight** noted GVW intended to build apartments and counseled apartment dwellings bring in big crime and social problems. Leeds resident **Dennis Budd** asked why Leeds had not let the GVW Development be annexed by Toquerville. Mayor Roberts asked the Town Council if they had any more comments. To which **Council Member Frank Lojko** noted the proposed draft agreement had many current problems to remedy. He said those things he felt certain would not happen were approving Babylon Mill Road (200 N) as a second access connection road; the Town exercising eminent domain; and constructing five lanes down Main Street. He said it was up to the developer to come up with creative ways to make it work, and noted that a possible Leeds Diamond Interchange was way down the road, and cautioned to be careful in making commitments associated with it. He said the Town Council would listen and work with the citizens. He noted that Karla Stirling did a good job presenting her points, and said some of the points were bad and some were good. He implored that all needed to work as a group to mitigate the problems. He reiterated he had some hang-ups with the three items he had listed, and assured he would make good decisions for the Town. **Council Member Angela Rohr** said there were some problems with Ms. Stirling's report, but noted the following items in which she concurred. She was anxious about the amount of time the development would take because things agreed to by the current Town Council Members may be misunderstood by future Town Council Members. She also voiced her concern of making a commitment without knowing the full costs, and worried the tax payers would have to shoulder them. She wanted to take the time to be thorough in their review. She added she thought Mr. Drake Howell was gracious in offering to discuss all the Grapevine information at an Open House, and thought it was wrong of the public to boo him even though they may disagree with the GVW Development. **Council Member Joe Allen** stated he had attended with an open mind. He appreciated the large citizen turnout. He noted he was new to the council and wanted to understand everything they were discussing. He said his personal beliefs and values were that he loved Leeds and thought it was a beautiful place and liked the desert preserve. He noted he was an avid hiker and biker and was concerned with growth and development in protected areas, but cautioned that property owners have a right to develop their property. **Mayor Roberts** reminded the council they were actively looking at the draft agreement. **Attorney Heath Snow** noted he would like the councils' input because he could not read their minds. He wanted the agreement to reflect the councils' wishes and desires. He added that some of Attorney Stirling's concerns were valid, but that other concerns were due to a lack of understanding. **Lojko** said he hoped the citizens would work with the Town Council Members, and that the Mayor gave good leadership and was on target with being fair and open. He reiterated the Town Council was willing to work with the citizens until all were comfortable with the agreement. He said this was important to enable them to move forward. Danielle Stirling asked if it was possible to get something in writing stating she could take her issue through the Planning Commission process before the agreement was signed since it seemed the majority of the

Town Council did not want a connection road through Babylon Mill Road (200 N) to Old Babylon Road (900 N), to which Roberts asked if she was asking that the Town Council not approve the GVW Final Development Plan until the Planning Commission recommended amending the 2007 Master Road Plan. **Blake** clarified by asking if there was any way to not sign the agreement until the 2007 Master Road Plan was reviewed by the Planning Commission. **Roberts** asked **Contract Planner Bob Nicholson** what the purpose of a master road plan was, to which he responded it tries to look 20-30 years in the future to ascertain the future road needs. He said it was best to take a long term view when creating a master road plan. He added it did not commit a community to specific roads, but it is meant to be used as a guide. **Roberts** asked how long a Master Road Plan review might take, to which **Nicholson** said due to noticing requirements and the need for photos, the process would take a minimum of 30-45 days even if special meetings were held. Roberts said he was concerned that the process was open ended. **Danielle Stirling** asked if it could be put on the agenda as an action item to not use Babylon Mill Road as a second access to the Grapevine Wash Development. **Roberts** responded that they did not have the final document before them right now, and reiterated it was still a working draft document. Danielle said she wanted a written assurance that the Town would not eminent domain her property for a corridor. Roberts said he could not give a definite answer until the Planning Commission reviewed the Master Road Plan. He said the decisions should be based on real planning and the direction it needed to go rather than upon feelings. Roberts then clarified that the rumor regarding the Town planning to use eminent domain on the Stirling property sprung out of him answering a question posed from Danielle Stirling during a prior Town Council meeting asking if the town could take her property using eminent domain. To which he had responded that "*governments have the potential to takings of properties, but they cannot take them without compensation, and without some type of just reasoning. He said it was quite a process and most municipalities did not look forward to doing it. He said personally, he thought governments should be extremely careful to only do it if there is good reasoning like health, safety or welfare of the community and with good solid findings.*" **Blake** noted the agreement said eminent domain was at the discretion of the Town, and stated he worried the Town Council Members at the time for the decision would be partly Grapevine Wash residents. Thus, he said some of that verbiage bothered him. **Attorney Snow** said even if some of the TC Members at the time of the decision were GVW residents, it still would not change the fact that a towns/municipalities power to eminent domain with their discretion has existed for hundreds of years, and existed whether or not it was spelled out in an agreement. But, he said it would not be a problem to remove the eminent domain section from the agreement. **Lojko** stated he did not want the section in the agreement. **Snow** then advised that just as he would never advise a town to contractually agree to exercise eminent domain, he would also never advise a town to contractually agree to not exercise eminent domain. He also noted to Danielle that three members of the Council have now identified that they did not want Babylon Mill Road to be an option for a second access to GVW. He asked what more of an assurance could the Council give. Mayor Roberts then gave GVW Representative **Drake Howell** time to respond. Mr. Howell noted he would not address the troubling person allegation made towards him, but would respond to requested changes to the draft agreement. He said GVW would remove reference to eminent domain from the draft agreement. They did not have a problem with do that. Referencing the idea of pushing the Development Plan application back to the Planning Commission, he "respectfully reminded" that GVW had worked with the Planning Commission on the final development plan since June of 2011; and even on the preliminary plan during the GVW annexation in 2009, and that a Public Hearing was held at the October 5, 2011 Planning Commission meeting. He said the plan had been available for the town and the public for a long time and they wanted to move forward with the application that was currently before the Town Council. Roberts stated they had not suggested sending the development plan application back to the Planning Commission, but having the Planning Commission review the Master Plan. Howell said if that was the case, he "respectfully" asked for some clarification of the pending ordinance doctrine, and expressed concern about changing an ordinance half-way through an application. Noting he was not an expert on the subject, and was not sure, but he thought they should support and look at the Master Road Plan that was in place at the time of application. Howell stated that GVW was looking at all the options for a second egress but did not want to take any of the options off the table at present. Discussion regarding the "speculative" nature of roads listed on the Master Road Plan concluded that the word "speculative" pertained to the actual placement of the roads. Danielle asked Howell to take the Babylon Mill Road option off the table since the Stirling's did not plan to give them approval, to which Howell said he would like to visit with her and her family to discuss it further.

11. **Preliminary FY 2012-2013 Budget discussion** – Mayor Roberts noted the Town Council was in the beginning stages of looking at the budget. He noted the Town Treasurer had been excused due to a last minute issue and asked to continue the discussion to the May 9, 2012 Town Council Meeting.

UPDATES BY STAFF:

12. Mayor Roberts said he had read through the applications for the clerk/recorder position and decided upon the ones to interview. He asked which Town Council Members would be able to help interview, to which Angela Rohr and Joe Allen agreed.
13. **Adjournment** by Frank Lojko 9:56 p.m.

APPROVED ON THIS 13th DAY OF June, 2012.

Alan Roberts
Mayor Alan Roberts

Attest:

Fran Rex
Deputy Clerk/Recorder Fran Rex
Town of Leeds

MAY

PUBLIC NOTICE

TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, May 2, 2012 at 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA - amended

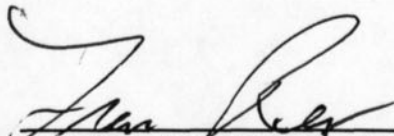
Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

1. Call to Order
2. Vote on Chair Person
3. Pledge of Allegiance
4. Roll Call
5. Declaration of Abstentions and Conflicts by Commission Members, if any
6. Consent Agenda
 - Tonight's Agenda
 - Minutes of March 7, 2012 and April 4, 2012 Planning Commission Meetings.
7. Announcements
8. Roles and Responsibilities of the Planning Commission
9. Discussion on possible recommendation of the amended Sign Ordinance
10. Discussion on Master Road Plan
11. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted May 1, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper.



Fran Rex, Deputy Clerk / Recorder

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AGENDA

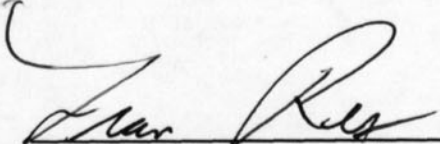
Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

1. Call to Order
2. Vote on Chair Person
3. Pledge of Allegiance
4. Roll Call
5. Declaration of Abstentions and Conflicts by Commission Members, if any
6. Consent Agenda
 - Tonight's Agenda
 - Minutes of April 4, 2012 Planning Commission Meeting.
7. Announcements
8. Roles and Responsibilities of the Planning Commission
9. Discussion on possible recommendation of the amended Sign Ordinance
10. Discussion on Master Road Plan
11. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted April 30, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Fran Rex, Deputy Clerk / Recorder

TOWN OF LEEDS PLANNING COMMISSION MEETING

May 2, 2012 at 7:00 p.m.

MINUTES

1. **Call to Order** – By Chair Doug Erdmann at 7:02 pm
2. **Vote on Chair Person** - Chair Doug Erdmann announced his resignation as Chair. A **Motion** was made by Commissioner Ray Beal with a **second** by Commissioner Bill Lytle to elect Jared Westhoff as Chair. There were **Four Aye** votes and **One Nay** vote from Jared Westhoff.
3. **Pledge of Allegiance** – Was led by Commissioner Bill Lytle
4. **Roll Call** - Present was Chair Jared Westhoff, and Commissioners Ray Beal, Diane Burton, Doug Erdmann, Bill Lytle and alternate Alex Beal. Also in attendance were Leeds Contract Planner Bob Nicholson and Deputy Clerk/Recorder Fran Rex.
5. **Declaration of Abstentions and Conflicts by Commission Members** – Chair Westhoff stated he did not have a conflict of interest with anything on the agenda; however out of an abundance of caution, he wanted to declare a conflict of interest as it relates to the discussion of the road master plan since the Stirling's are concerned with that issue. He disclosed that his daughter works for Dave and Danielle Stirling; he knows the Dave and Danielle Stirling and Ron and Carol Whitmer and was very concerned regarding their happiness and well being; he knows several of the principals from the Grapevine Development and in the past used some of the same consultants they have used on the development. But, he said he did not have anything to do with the Grapevine development financially or any other aspect, but cared about their rights as much as he cared about others property rights.
6. **Consent Agenda** - Chair Jared Westhoff stated the agenda and meeting minute's motion would be split into two motions since Westhoff was not present at the March 7, 2012 Planning Commission Meeting. A **Motion** was made by Ray Beal with a **second** by Doug Erdmann to **Approve the March 7, 2012 Planning Commission Meeting Minutes**. There were **Three Aye** votes and **Two Abstentions** from Lytle due to not attending that meeting and Westhoff due to him not being on the commission at that time. A **Motion** was made by Chair Westhoff with a **second** by Bill Lytle to **Approve Consent Agenda including the April 4, 2012 Planning Commission Meeting Minutes**. There were **Four Aye** votes and **One Abstention** from Burton due to not attending that meeting.
7. **Announcements** – None
8. **Roles and Responsibilities of the Planning Commission** – Chair Westhoff explained what the Planning Commission could and could not do and why. He said the state recognized that central planning did not work, so they created political subdivisions (i.e. Counties, Towns, and Special Service Districts). He said a Town gets its authority by the State and not from the County. He then made the following points:
 - Town Council is the Land Use Authority

- Town Council is not allowed to violate the rights of the minority or the majority. It must view all citizens the same, whether rich or poor.
- Town Council is not allowed to let a mob rule.
- Town Council sometimes delegates Land Use issue to the Planning Commission
- Planning Commission need to leave personal feelings out of things and look at their duty to the Town as a whole.
- Town Council deals with a broad spectrum of issues.
- Planning Commission only deals with Land Use issues.
- Planning Commission's job is to interpret the current ordinances and make recommendations to the Town Council in accordance to the ordinances. He noted it was not the Planning Commission's job to decide if they liked or disliked the ordinances, but rather to follow the ordinances, when an application is before them.
- Planning Commission can get "cross ways" if the different rolls are not understood. He noted that comments regarding a slow economy can get in the way of sticking to the codes.
- Planning Commission coordinates land uses and protects health, safety, and welfare. It is also their job to protect the financial viability of the Town.

Westhoff added that an individual had the right to risk his own capital, and it was not the job of the Town to second guess him. And he reiterated it was the Planning Commission's job to protect the financial viability of the Town and ensure the proper procedures and processes were followed. He then asked for comments from the Planning Commission Members. Commissioner Ray Beal read the specific duties of the Planning Commission from Land Use Ordinance 2008-04, Section 2.3.2 as follows:

Among the specific duties of the Leeds Planning Commission are the following:

- 2.3.2.1. Make, adopt, and certify the Leeds General Plan to the Leeds Town Council,
- 2.3.2.2. Review and make recommendations on street plans to the Leeds Town Council.
- 2.3.2.3. Review and make recommendations on changes to the Land Use Ordinance to the Leeds Town Council,
- 2.3.2.4. Review and make recommendations for conditional use permits to the Leeds Town Council.
- 2.3.2.5. Review and make recommendations for approval or disapproval of the Preliminary and Final Plat of all subdivisions to the Leeds Town Council.
- 2.3.2.6. Perform other tasks as directed by the Leeds Town Council.

Westhoff added the Planning Commission's focus was quite narrow, and they should keep it specialized and do their duty to not care more or less for anyone's property. Contract Planner Bob Nicholson noted that the Planning Commission was a thankless job and that much time was donated working on behalf of a Town. He said it was a tough balancing act, and has seen some loose friends by being a member of a Town Council or Planning Commission. Westhoff added that "on that note" he was disappointed to see what has happened with rumors regarding the proposed Grapevine Development and that he might have something to gain from the project. He said he was not involved with them in any way. He noted he himself was new to the Planning Commission, but the Planning Commission has been vetting Grapevine's proposed land use and the studies required by the Town. He noted that recently a letter written by Karla Stirling had been circulated around town, which made good points about eminent domain and asked several good questions, but unfortunately much of the letter was conjecture and served to confuse many people about how the town has worked and the way impact fees, development agreements and reimbursement agreements among other municipal. Tools and or terms are used and applied.

9. **Discussion on possible recommendation of the amended Sign Ordinance** – Chair Westhoff gave time to Contract Planner Bob Nicholson to review possible amendments to the sign ordinance. Nicholson said the goal is to simplify the sign ordinance, and the main task was to balance the need for community aesthetics with the need for businesses. He provided a draft of his recommended changes. The following are his explanations for his recommendations:

22.2.1 Signs Not Requiring Town Approval or Permit

- 22.2.1.1 Construction **sign**. Change maximum sign size from 8 sq. ft. to 32 sq. ft. Nicholson noted most standards were 4 sq. ft. by 8 sq. ft.

22.2.1.3 Civic Signs. Commissioner Ray Beal suggested changing the maximum sign size on monument signs from 24 sq. ft. to 72 sq. ft. since the "Welcome to Leeds" sign is 72 sq. ft.

22.2.1.4 Real Estate Signs. Change maximum size from 4 sq. ft. to 6 sq. ft. Nicholson noted it was hard to see a 2x2 sign when driving by.

22.2.1.8 Political and campaign signs. Either eliminate 30 day time limitation on posting of campaign signs or change to 90 days, rather than 30 days. Nicholson noted political speech / campaign signs have a special status under the law and very few limitations are allowed on campaign signs.

22.2.2 Signs Requiring Town Approval (Permit)

22.2.2.1 Signs in Commercial Zones. Delete existing sections 22.2.2.1, 22.2.2.2, 22.2.2.3, and 22.2.2.4 and replace with the following provisions for wall signs, and free-standing monument signs. Nicholson noted the above sections were complicated, and the following sections would simplify the code.

22.2.2.2 (new section) Wall signs. Each commercial building, or tenant therein, may have one front wall sign not to exceed 10% of the building's front wall area, or 10% of the tenants front façade area. Such wall sign shall be attached flat against the building's wall and shall not extend above the roof peak or parapet wall. A second wall sign is allowed on the side or rear of the building with a maximum sign area not to exceed 5% of the wall area.

22.2.2.3 Business monument sign. (Current section 22.2.2.1) Monument signs shall be mounted on the ground with a solid base. The size of the base shall be no larger than 30 sq ft and a height not to exceed 2 feet. The sign portion of the monument shall not exceed 55 sq. ft. with the top of the sign no more than 10 feet above the average ground level adjacent to the sign. The sign shall be within the property for which it advertises, and shall not encroach into any public right of way or public property.

Nicholson asked for questions or comments. Business signs were then discussed. Westhoff said the current ordinance only allows for monument signs for businesses and noted the Town went to great lengths to disallow billboards and shining lights, but wondered if there was something in between the two sized that would be conducive to the Town. He referenced the storage units by the freeway, and noted the sign was so small people could not see the phone number on it. Nicholson said St. George bases the size of the sign on the street frontage a commercial parcel has. He also said the Town could have a provision if a business is within so many feet from the freeway entrance it could possibly have a pole sign or something else. Westhoff reiterated they wanted to be modest, but reasonable. Nicholson said he would return with researched recommendations for commercial signs based on street or building frontage, and freeway proximity. Westhoff asked for Commissioners opinions. Commissioner Lytle agreed and noted section 22.2.2.5 said base of sign was larger than the sign. Westhoff asked if the commission would like Nicholson to do some more research and give more recommendations. Commissioner Ray Beal said he was okay with Nicholson giving more recommendations. Citizen Manuel Goy noted the current four billboards in Toquerville boundaries on Interstate I-15 and asked if Leeds could do something about how bright they were. Westhoff said this is why Leeds worked so hard to not allow Toquerville to annex clear to the Homespun area. He added that this was also why Leeds wanted to make sure anything that impacted it could be controlled by Leeds. There was some further discussion on possible changes. Nicholson reiterated the changes are an attempt to simplify the code, and his above suggestions would eliminate five to six pages. He asked the Planning Commission to review his suggestions and come back with their own recommendations to achieve a level of comfort. Westhoff stated the discussion would continue in the June 6, 2012 PC meeting.

- 10. Discussion on Master Road Plan** – Chair Westhoff informed that Mayor Roberts and the Town Council had asked the Planning Commission to look at the 2007 Master Road Plan to make sure it was a good workable plan. He then asked Contract Planner Bob Nicholson to report on the issue. Nicholson gave the background as follows:

The Master Road Plan is one element of a city General Plan (also known as a Master Plan). Each municipality in Utah is required to adopt a General Plan for the present and future needs of the community. The General Plan is a guide for land use decisions and Utah State Law sets forth what should be contained in the General Plan. For towns with less than 1,000 population, there are only two required elements; (1) a land use element, and (2) a traffic circulation element (the Master Road Plan) which sets forth the approximate location for future collector and arterial streets. The location of smaller local subdivision streets may be included at the discretion of the Planning Commission and

Town Council. Other elements may be included within a General Plan but the land use and road plan are mandatory elements (UCA 10-9a-403). As understood by staff, Leeds Town adopted the present Road Master Plan in 2007. The Mayor and Town Council (TC) have requested that the Planning Commission (PC) evaluate and make a recommendation to the TC regarding any changes the PC deems are in the best interests of Leeds Town. He said that although Babylon Road and its possible connection to Old Mill Road (900 N.) and with the proposed Grapevine Wash project was the subject of discussion at the Town Council meeting on April 25th, the direction from the Mayor and TC to the PC was to evaluate the entire road plan so that it will meet the long range circulation needs of the Town. He informed that placement of a proposed road on the Master Road Plan does not guarantee that such road will be built, nor does it obligate the Town to have the road built. After the PC has studied the traffic circulation needs of the Town and before approving any recommendations, the PC must hold a public hearing (with a minimum 10 days public notice) on their proposed recommendations before forwarding such to the TC for their consideration. Nicholson then recommended the following: The PC should study consider the long range (typically 20-30 years) traffic circulation needs of the Town. Consider whether the current Master Road Plan (adopted in 2007) meets the long range needs of the Town. In general, connectivity between existing and future development areas is an important consideration. Topography will often limit the potential road corridors but where the terrain allows for road connectivity it should be promoted. Again, the PC should take a long range view for what is in the best interest of the community. A proposed roadway that is unpopular today may be essential in the long run and viewed differently by future property owners and residents. Streets provide for interaction among residents and good street planning is essential to efficient and safe community development. Where the terrain allows a grid or modified-grid network of streets that should be considered. Cul-de-sacs should be avoided where feasible and streets planned to connect with other streets. Street connectivity provides residents with multiple circulation choices and in the event of a road closure for some reason on one street, alternate choices then exist for ingress and egress. Nicholson then displayed some maps for review including an area map, property ownership map, and a map from the Rural Planning Organization (RPO) showing a connector road to Toquerville. Westhoff asked him to explain what the RPO was, to which Nicholson said they promoted coordination of roads between towns. He further explained that the MPO was the Metropolitan Planning Organization, and the Towns belonging to the RPO were the eastern Washington County towns including Leeds, Hurricane, Toquerville, Springville and etc. Westhoff then introduced Town Engineer Russ Funk from Sunrise Engineering. Answering Westhoff, Mr. Funk stated a road between Leeds and Toquerville has been authorized by the RPO for a study. He noted there was not a specific current location depicted, but the study was to ascertain if there was a need for it. He said they would be gathering information from surrounding towns. Westhoff noted some of the reason was to take traffic off from State Route 9 (SR-9), and asked what information the RPO needed. Funk listed the Master Road Plan; a zoning map; projected growth rates; connectivity; and estimated trips per day based on the zoning. Westhoff then asked how to balance farms with "Vision Dixie" types of growth, to which Funk said they start with existing zoning, talk with property owners, compile the information, then outline a current and projected model. Westhoff asked how this could be accomplished on a budget, to which Nicholson said the TC and PC knew the area better than himself and Mr. Funk. He noted that no roads could go on the Red Cliff Desert Preserve. He suggested they gather around a map and look at the land and what it dictates; try to preserve corridors; look at what could become a road; study; review; redline existing roads; yellow line 2007 Master Road; and look at the topography. Westhoff said topography was important, and noted the current Master Road Plan violated the hillside ordinance in an area pointed out by Dave Stirling. He thought it was better to look at actual topography and consider all factors rather than just putting a dotted line on a map for connectivity. Lytle added that they needed to look at the impact Silver Pointe Estates will have on roads and add that to the master road plan. They then discussed road impact fees. Westhoff stated law said the impact fee needed to be based off from actual needs. A Road Master Plan would help to ascertain those needs. He asked if the process was to divide projected number of residents of a development such as Silver Pointe Estates or Grapevine, to come up with the amount of the fee. Mr. Funk then explained that a Town comes up with a plan, and then does a cost estimate to implement that plan – including all plans on the horizon. They then do a population growth estimate and divide the costs out to obtain what a road impact fee should be. Westhoff recapped that Silver Pointe Estates is being asked in the development agreement to improve Silver Reef Road, and noted as a development comes in, the Town can require certain improvements and give credit against their impact fees, to which Mr. Funk agreed and noted Silver Pointe Estates will be putting in what was

suggested on the Master Road Plan. He said it was a common practice for developers to look at the Master Road Plan to see what the direction the town was planning and incorporate it into their proposed plans. Westhoff asked if it was appropriate to collect impact fees for a four way interstate intersection, to which Funk said this was tricky because it was not a Leeds Town Road. Westhoff then asked if the Utah Department of Transportation (UDOT) looked at a towns Master Road Plan for planning, to which Funk responded UDOT was interested in what a community wanted. Nicholson added that cities that are prepared to contribute to a UDOT project often become a higher priority. And reiterated that collecting an impact fee for a four way interchange could make it transpire quicker. Westhoff continued by recapping the above listed items the RPO needed for their study which included a master road plan; a zoning map; projected growth rates; and estimated trips per day study based on the zoning. Mr. Funk recommended using an engineer if estimated trips per day study were required; however, if a general study with general connectivity were only required, rough estimates for daily trips would suffice. Westhoff noted that past Town Council Member Dave Harbour did a phenomenal job ("he did what an engineer would do) on the last master road study"). Commission Member Bill Lytle asked "aren't we just looking at proposed roads? So why spend a lot of funds." He also added that public should be more involved from the beginning to the end. Mr. Funk stated the Road Master Plan was important to know the general direction roads should go, and noted the current road system was the result of past planning. Nicholson said it would be good to use Dave Harbour again so as to not start from scratch, but build upon past work. He added it was good to re-examine the plan every five years. Westhoff then gave time to Citizen Danielle Stirling for comment. She thanked the PC for their service and then read a statement to which Westhoff asked for a copy of her comments then summarized her requests as follows:

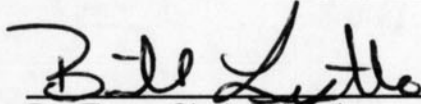
- Planning Commission (PC) to recommend to Town Council (TC) to review the discrepancy of what draft Access Management Agreement was voted on by the TC on November 18, 2009, and what was passed through the RPO in 2010.
- Understand the difference between a Road Plan and a Transportation Plan, and make sure the Town deals with both separately.
- Consider removing Babylon Mill Road & projected speculative connecting road from the Master Road Plan because you are tired of developers relying on the Master Road Plan and asserting he can force a town to use it.

Ms. Stirling agreed and said "exactly." Westhoff reminded of Nicholson's staff report comment stating "placement of a proposed road on the Master Road Plan does not guarantee that such road will be built, nor does it obligate the Town to have the road built." He said he sympathized and empathized the fear of a property owner having a developer asserting that something on a Master Road Plan guarantees it can be built. He said he did not believe this assertion and thought the planner was accurate stating that just because a road is on a Master Road Plan does not obligate the Town to build it. And just because a developer asserts this idea, does not make it true; and therefore force a road. He said the Town needed to get some legal advice on the matter to ascertain if that understanding was correct. Ms. Stirling said she worried about the direction the map gives to developers and wondered if a speculative road is no longer speculative in the developer's mind if it is on the Master Road Plan. Westhoff said the commission would divide up the Town, and each member would look at certain areas to ascertain which roads are feasible from a connectivity standpoint and a topography standpoint. He said they would also ask Bob Nicholson to look at zoning. Ms. Stirling thanked him. Nicholson reminded that connectivity was the important issue and to take the long range view. He stated things may be different 30 to 50+ years from now; and noted many things need to come into play to turn a proposed road into an actual road such as purchasing property and dedicated easements. Ms. Stirling asked if it wasn't advantageous for the property owner to decide what their land should look like, to which Nicholson cautioned that if corridors were not preserved, the property owner may be prevented from creating one years later, although a road corridor may be needed and desired in the future. Westhoff noted that the Fire Chief was now requiring a second access to areas after so many homes to prevent large cul-de-sacs such as the Silver Reef area. He said a connector road to Hidden Valley was now being required after a certain number of lots are developed in the Silver Pointe Estates Development to remedy the cul-de-sac situation. He added that a second access will also be required for the Grapevine Development after so many homes. He reiterated Chief Lewis will now require the same standard all around. Nicholson said the Town should rely on the fire code to help ascertain the needs of future roads. Commissioner Lytle was asked to obtain those codes from LASSD for reference. The Planning

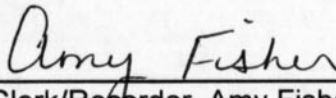
Commission then divided the Town up into different areas and assigned each member an area to review. They moved down to the table to review some large maps.

11. **Adjournment** - A **Motion** was made by Ray Beal with a **second** by Diane Burton to **Adjourn** at 9:15 p.m. The motion was amended and dropped by Beal and Burton due to the request for a citizen comment. Peter Aurigemma asked the Planning Commission to review the conditional use ordinance at their convenience. He asked them to eliminate it from the Leeds Town Ordinances or make it much more restrictive in order to mitigate issues with attorneys from residents wanting to turn residential property into commercial property. A **Motion** was then made by Bill Lytle with a **second** by Doug Erdmann to **Adjourn at 9:16 p.m.**

APPROVED ON THE 1st DAY OF August, 2012.


Pro Temp Chair Bill Lytle

Attest:


Clerk/Recorder, Amy Fisher *

NOTE* Deputy Clerk/Recorder, Fran Rex, prepared these minutes, but in her absence, Clerk/Recorder Amy Fisher attests to the above signature.

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, MAY 9, 2012, 6:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Town Council Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

WORK SESSION:

6:00 p.m.

1. Call to Order
2. Roll Call
3. **CLOSED MEETING** – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).
4. Adjournment

BUSINESS SESSION:

7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from April 25 , 2012 Town Council Meeting, and April 19, 2012 Town Work Meeting with Utah Department of Transportation (UDOT)
6. Announcements:
7. Citizen Comment: *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item.*

DISCUSSION ITEMS:

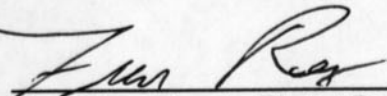
8. FY 2012-2013 Budget
9. Discussion regarding requiring County Treasure signature block on final plats.
10. Draft Ordinance for Leeds area Cemeteries Update.
11. Discussion on an Access Management Plan

UPDATES BY STAFF:

- 12.
13. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted May 7, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pnn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Fran Rex, Deputy Clerk / Recorder

**TOWN OF LEEDS
TOWN COUNCIL MEETING**

MAY 9, 2012, 6:00 p.m.

MINUTES

WORK SESSION:

6:00 p.m.

1. **Call to Order** – At 6:10 p.m. by Mayor Alan Roberts.
2. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Frank Lojko and Angela Rohr. Also in attendance was Deputy Clerk/Recorder Fran Rex
3. **CLOSED MEETING**

A **Motion** was made by Frank Lojko with a **second** from Angela Rohr to open a Closed Meeting for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). An **Aye vote** was **unanimous**.

A Closed Meeting was held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c).

A **Motion** was made by Frank Lojko with a **second** from Nate Blake to close the Closed Meeting at 6:44 p.m. An **Aye vote** was **unanimous**

4. **Adjournment** – A **Motion** was made by Frank Lojko with a **second** from Mayor Roberts to adjourn at 6:45 p.m.

**TOWN OF LEEDS
TOWN COUNCIL MEETING**

MAY 9, 2012, 7:00 p.m.

MINUTES

BUSINESS SESSION:

1. **Call to Order** – At 7:03 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** – Was led by Angela Rohr
3. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Frank Lojko and Angela Rohr. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Treasurer Jean Beal and Deputy Clerk/Recorder Fran Rex. Also present were Town residents that filled the room.
4. **Declaration of Abstentions and Conflicts by Council Members** – None
5. A **Motion** was made by Joe Allen with a **second** by Nate Blake to **Approve Tonight's Consent Agenda, Excluding Minutes** of Meetings from **April 25 , 2012 Town Council Meeting** and **including Minutes** from the . **April 19, 2012 Town Work Meeting with Utah Department of Transportation (UDOT)**. An **Aye** vote was **Unanimous**.

6. **Announcements** – Mayor Roberts noted that due to the amount of dialogue and the things that have been said over the last few weeks, he was concerned with the direction of the public clamor. He said he wanted the Town Council meeting to be professional. He invited the public to engage in dialogue with their public officials to get the facts and correct documents. He noted the country was not founded as a democracy where the majority rules, but as a republic where it guarantees the rights of all -- not just the majority. He stated that the Town has followed the constitution; it is not responsible to "spoon feed" its citizens; it has been clearly open in giving information; and has not kept information from the public. He said that due to the large number of citizen comment sign ups, he would allow two (2) minutes per comment. He asked the public to be civil and he would not allow blatant comments. He added he would give the same amount of time in tonight's meeting that was allotted to the Stirling's Attorney in the April, 25, 2012 Town Council meeting, to allow full comment from the Grapevine Wash Representative.
7. **Citizen Comment** - Mayor Roberts then allowed public comment as follows:
Clair Langston – deferred his/her time to Attorney Karla Stirling
Attorney Karla Stirling – read the attached statement, "A Call for Greater Transparency, Open Dialogue and Civil Discourse in Grapevine Development Matters." The statement asked for better noticing; time for thorough review; reminded that "everything is negotiable;" to analyze the impact fees and impact fee credits; and cautioned the Council to "do their best to ensure that the townspeople's wishes were incorporated into all plans going forward so that Leeds' values, community and future [were] protected;" (see attached)
Geraldine Stirling – deferred his/her time to Attorney Karla Stirling
Elliott Sheltman – Said the volunteer position of Town Council was sometimes a thankless job, but said he did appreciate the efforts. He said they were not questioning if the development should be done or not, or whether the developer has the right to develop his property, but were questioning the details. He said the details were what was important.
Sheryl Lee – deferred his/her time to Attorney Karla Stirling
Kours (?) – deferred his/her time to Attorney Karla Stirling
Danielle Stirling – thanked the Town for all the time and effort that had been expended thus far on the issue. She said the addendum of the 2007 Master Road Plan stated that "any addition or development or re-development must include a traffic impact study (TIS) for any transportation route." She noted that the access chosen as the second access did not have a TIS. She wanted to make sure that before any access was chosen, a TIS would be completed.
Manuel Goy – deferred his/her time to Attorney Karla Stirling
Tracy Belliston – read the attached response statement giving the objectives and vision of the Grapevine Wash Development. The statement also rebutted untrue statements; included a timeline detailing the history of the project; and said the owners have strong ties to Utah and Washington County and were not some "mysterious corporate conglomerate whose intent it is to sweep in and hijack the town, make a huge profit and disappear." It also listed the benefits it could bring to the Town; invited citizens to approach them for open dialogue; and emphasized their growth would be incremental. (See attached)
Carol Whitmer – deferred his/her time to Attorney Karla Stirling
Stephanie Whitmer – deferred his/her time to Attorney Karla Stirling
Ralph Rohr – noted the Town Council had a tough job dealing with all the current complex issues. He said he himself may have been misinformed about some of them. He said he had not heard about Grapevine Wash because he was too tired to come to Commission and Council meetings at night. He thought a greater effort should have been made to inform citizens. He said he heard at the Post Office that the developers were suggesting putting five lanes down Main Street and accessing their property through prime farm land when other options were available. He was disconcerted that a developer would suggest this, but again noted that he may have been misinformed.
Nancy Higgins – deferred his/her time to Attorney Karla Stirling
Betty McKnight – presented a map of the Grapevine Wash area and stated it looked as if the area was landlocked. That it was mostly surrounded by BLM property. She did not think BLM would agree to allow a road through their property. She was concerned if GVW would be able to obtain road accesses. She wondered about sewer and if Ashcreek would operate a sewage facility if they would be held liable. She asked if GVW had the large amount of money to provide its own sewer, and said to make sure a sewer system was done right. She voiced concern about the density and thought it would bring higher crime; about 4 story buildings; compatibility, and about the developer having the full funds to finish the project.
Linda Lott – deferred his/her time to Betty McKnight
Joy Goy – deferred his/her time to Betty McKnight

Martha Ham – expressed gratitude to the Town Council for their hard work and willingness to “be in the heat.” As a family a marriage therapist, she offered the following advice to all concerned: a) refrain from complaining & criticizing; b) get the vision; c) take responsibility for what you want; and d) communicate it. Then, she asked the Town Council to consider the following requests: 1) commit only to agreements you can see through on your TC term – or at least your life time; 2) make sure the existing residents are not losing something (she gave the analogy that it was important for children in blended families to not feel they were losing something important with the merger.) She cautioned to not get involved with a takings; and 3) she asked the developers to “join Leeds” rather than expecting Leeds to “join them.” She noted the long history and contributions of the Stirling family in Leeds and Silver Reef. She concluded by informing of a principle called “rewind” and asked everyone to “rewind and start over” and be willing to talk with the Town.

Cyntha Wright – stated it was a good meeting and good to see things calm down a little. She applauded Betty & Karla's comments and the Town Councils hard job. She said the town needed to come together, and felt the citizens needed more than 24 hour postings on big issues. She asked Town Council Member Joe Allen to further explain his conflict of interest with also representing one of the developers on a real estate deal. Allen stated the extent of his real estate dealings was being the agent selling the one of the developer's property on Cedar Mountain. She said she hoped they could achieve a win/win situation, and said she felt the people on the Town Council would handle it with integrity. She said more communication, creativity, teamwork and trust would create success. She then asked if Grapevine was its own municipality or a district, to which mayor Roberts stated in was a district within the boundaries of Leeds; therefore part of Leeds Municipality.

Jerry Otteson – deferred his/her time to Attorney Karla Stirling

Kevin Lee – stated he had just recently heard about the project, and understood that the minimum requirements were met regarding giving notice for the Grapevine development, but hoped more information could be forthcoming. He said most people did not want to have to attend a lot of city meetings, but would take more notice if agenda items were more explicate. He said he was ready to start fresh with the issue, he said he thought Grapevine looked like a good development, commended their ambition for looking at the future, and that a 4-Way Interstate Interchange seemed good. He noted that if Grapevine wanted to pay a high price for sewer it was their prerogative as long as it did not affect current citizens.

Susan Savage said she did know about Grapevine because she has kept informed by attending meetings, open houses, and public hearings. She sated the Grapevine Wash Development Representatives, IBI Group, held an open house at the very beginning and provided all the documents and maps at that time. She did not think the town was responsible for making a big announcement each month the item was on the agenda. She said it was the citizen's responsibility to stay informed of issues important to themselves. She noted that development was a slow process, a people should not expect to change things in just a few meetings. In response to the concern of “outsider developers” threatening local, long time resident properties, she explained how her own land was threatened in various ways by “neighboring developers.” She said her observation of Drake Howell was when he takes a job he does his best, and that he had worked hard and appropriately for the Town as Town Manager, and only left its employ due to the Town not having enough funds to pay him full time, requiring him to work part time. She said he was then was offered a position with Grapevine which would suit his family's financial needs better. She noted that before she left for a mission, the Town of Leeds seemed to “dying,” but, upon her return it was a new time and place. She added that when St. George wanted growth some invited a scandal which led to the Town not being as prepared as it could have been for the growth that happened. She also noted that some of her Silver Reef neighbors were involved with Vision Dixie which was widely advertised throughout the county. Susan said she attended several and was placed at a table with a map of the Leeds area and other Leeds residents. They were instructed that under the law, a municipality cannot exclude high density areas. Then they were instructed to design the zoning for the map on their table. She said her group thought that since they could not exclude high density, that the area best suited for it was exactly where the Grapevine Development is now planning to develop. She said her group chose this area because it was least likely to affect the night sky. She said she was not surprised that a high density development has been proposed in the Grapevine Wash area. She noted that a developer she knew designed a development with large lots to enable larger lawns and open spaces, but said the end result did not leave open space, but owners built bigger homes. She added that the Stirling family means a lot to Leeds, and that the people in Silver Reef and Eldorado Hills mean a lot too. However, she noted it was hard when they first came in, but are now good neighbors. She stated she felt that the current Town Council listens to the public; that it was human nature to have a surge of energy on important topics; but if one stayed involved one begins to understand all the encompassing issues. She reiterated it was the citizen's responsibility to read the notices and come to open houses.

Don Goddard – thanked the Mayor for allowing extra citizen comment time. He asked the citizens to show by the raise of hands who had known about the Grapevine Development. One third raised hands to the positive, and two thirds to the negative. He said he was told his property may be eminent domained for a 4-Way Interchange and that was why he was there. He noted that citizens had been noticed by legal means including the post office and

etc., but wondered if a write-up could be including in the quarterly newsletter regarding big items such as this development. The Mayor noted the town had never included a write-up in the newsletter regarding developments, to which Goddard said there should be for ones this big.

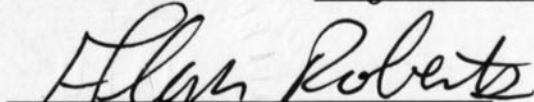
DISCUSSION ITEMS:

8. **FY 2012-2013 Budget** – The Council reviewed the current budget. They were asked to further review it and give their suggestions to the Mayor within seven days.
9. **Discussion regarding requiring County Treasure signature block on final plats** – Mayor Roberts explained that Washington County was asking all the municipalities to adopt an ordinance requiring a County Treasure signature block on final plats. He said this was due to the subdividing of parent parcels which owed back taxes. He said even though the new parcels with new tax numbers stayed current on their property taxes, the owners were losing their homes because the parent parcel's taxes were years past due. Roberts said the Washington County's Attorney had prepared the draft ordinance before them. He said it still needed a legal staff review and asked the Council to also review it and give comment.
10. **Draft Ordinance for Leeds area Cemeteries Update** – This item was continued to the May 25, 2012 Town Council Meeting.
11. **Discussion on an Access Management Plan** – Mayor Roberts noted this item was first discussed in the February Town Council Meeting. He explained that county funds collected from fuel sales go to a COG Fund (City of Governments). These funds can be used for corridor roadways if there is a financial impact on a property. The funds can be used to pay a property owner if the property is targeted for roads. Roberts further explained that in order to qualify for COG funds, a town needs to have an access management plan. He said the Rural Planning Organization (RPO) drafted this in the end of 2009, and it received ratification from all towns in 2010; therefore, Leeds now needs to adopt an access management plan. Roberts then turn the time over to Contract Planner Bob Nicholson. Nicholson presented a draft document using Hurricane's plan as a guide. He said this would create good transport planning and makes streets better for safety. He noted some of the things did not apply to Leeds, so it is best to evaluate each one a case by case basis. There was discussion how to best financially handle completing an access management plan. It was suggested that adopting the Hurricane plan as a guide may save funds from having our own engineers do a complete study. The idea of joining with Toquerville and LaVerkin on a study was also discussed. Then, it was discussed if simply adopting the Hurricane plan as a guide would satisfy the COG requirement. It was also noted that adopting their plan as a guide would not make it a binding document and would make looking at items on a case by case basis possible. It was decided to ascertain if the adoption of the plan would satisfy the COG requirement, and if Hurricane would allow Leeds to use their document as a guide.


UPDATES BY STAFF:

12. **Adjournment** by Mayor Frank Lojko **11:10 p.m.**

APPROVED ON THIS 23rd DAY OF May, 2012.


Mayor Alan Roberts

Attest:


Deputy Clerk/Recorder Fran Rex

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, MAY 23, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA – Amended II

Up to two Town Council Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Council Members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from May 23, 2012 and April 9, 2012 Town Council Meetings
6. Announcements:
7. Oath of Office to new Clerk/Recorder Amy Fisher
8. Citizen Comment: No action may be taken on a matter raised under this agenda item. This item is reserved for items not listed on this agenda. (Three minutes per person. Five minutes per group.)

WORK SESSION:

DISCUSSION ITEMS:

1. FY 2012-2013 Budget (Preliminary findings)
2. Review and discussion of Final Development Plan for Grapevine, Exhibit J.
3. Draft Ordinance for Leeds area Cemeteries Update.
4. Discuss West Center Street Roadway and Drainage.

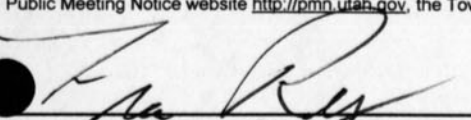
UPDATES BY STAFF:

CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah Code 52-4-205(1)(a); discussion on pending or reasonably imminent litigation; as allowed by Utah Code (52-4-205) (1) (c); or for the discussion of the purchase, exchange, or lease of real property, including any form of a water right or water shares; as allowed by Utah Code 52-4-205(1) (d).

Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted May 21, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper


Fran Rex, Deputy Clerk / Recorder

**TOWN OF LEEDS
TOWN COUNCIL MEETING**

MAY 23, 2012

MINUTES

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. **Call to Order** - At 7:05 p.m. by Mayor Roberts.
2. **Pledge of Allegiance** - Was led by Joe Allen
3. **Roll Call** – Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Frank Lojko and Angela Rohr. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Treasurer Jean Beal, Deputy Clerk/Recorder Fran Rex and Clerk/Recorder Amy Fisher. Also present were Town residents that filled the room.
4. **Declaration of Abstentions and Conflicts by Council Members, if any** – None
5. **Consent Agenda:** Discussion was had regarding Citizen Comments on agenda items. It was decided that the council should go through the items on the agenda and then allows citizen comments either after each item or at the end of the work session. **A Motion** was made by Nate Blake with a **second** by Angela Rohr to **Approve Tonight's Consent Agenda** and strikes any wording after citizen comment line # 8 and include meeting **Minutes of May 9, 2012 Town Council Meeting**. A friendly amendment was made by Frank Lojko to approve consent agenda and strike any wording after citizen comment line # 8 and to limit 3 minutes per citizen to which Blake and Rohr agreed. An **Aye** vote was **Unanimous**
6. **Announcements:** None
7. **Oath of Office to new Clerk/Recorder Amy Fisher** – Mayor Roberts introduced Amy Fisher as the new Clerk/Recorder and Deputy Clerk/Recorder Fran Rex gave her the Oath of Office.
8. **Citizen Comment:**

WORK SESSION:

DISCUSSION ITEMS:

1. **FY 2012-2013 Budget (Preliminary findings)** - Budget was under discussion with some changes recommended. Steve Lewis stated that the LASSD will volunteer to do the July 4, 2012 Breakfast and fireworks. Donations are welcome. Insurance was discussed. A Public hearing was scheduled for June 13, 2012.
2. **Review and discussion of Final Development Plan for Grapevine, Exhibit J** – Mayor Roberts reminded this item first came before the Town Council from the Planning Commission on the first part of March 2012. He noted the council has had some discussion, but he would now like to solidify what would be acceptable and what required conditions need to be further outlined. Contract Planner Bob Nicholson stated an annexation agreement with Grapevine Wash (GW) was signed by the town in 2009. He said that the agreement granted conceptual approval for the project, including the 2,500 dwelling units and the 300,000 sq. ft. of commercial floor area. He then gave the following staff report in part: He gave background information and said high density projects such as GW need a high level of amenities and outstanding building design to be successful and considered an asset to the Town. GW has provided an Architectural Pattern Book showing what building design is proposed for the

various types of residential structures. It will be critical to make sure that the GW buildings meet the standards set forth in their Pattern Book. He said it has been noted and the developer understands that the projects phasing will be limited according to street capacity and other infrastructure such as water, sewer and power. It will be phased in and only approved upon compliance and feasibility. The proposed GW project faces major obstacles to becoming a reality including obtaining the necessary public utilities to the site (water, sewer, power, etc.) and also necessary access roads with adequate capacity to handle the project's traffic. Previous traffic mitigation proposals have included the idea of having 5 traffic lanes on Main Street, but the Town Council has wisely rejected that idea, and stated that Main Street will remain a 2 lane street, with on-street parking and a center turn lane. Nicholson then reviewed the conditions set forth from the Planning Commission as follows:

1. Compliance with all Leeds Town codes, unless a specific waiver or variance is granted by the Town Council. – Town Council deemed acceptable.
2. All utilities, including water, wastewater, storm drainage, electric power, natural gas, telephone, and similar utilities shall comply with local and state standards. – Town Council deemed acceptable.
3. Street designs which are different than those set forth in the Leeds Standard Specification for Design and Construction shall be approved by the Leeds Town Council, after hearing the recommendation from the Planning Commission and the Leeds Town consulting planner and engineer. – Nicholson noted that the Planning Commission had spent at least 2 meetings on internal development roads. They discussed street design, narrow widths, turn radius, "Y" intersections, intersection spacing and sidewalks. The commission recommends approval of these things based upon some conditions and keeping with National standards.
4. A Traffic Mitigation Plan shall be approved by the Town Council which sets forth how proposed traffic from project will be accommodated by the public streets. Three accesses are needed in order for the project to reach build out. – Planning Commission did not recommend a 5 lane roadway for Main Street, but wanted to keep 2 lanes with on street parking.
5. Gravel parking areas are not permitted. All designated parking areas shall have a hard surface consisting of asphalt, concrete, brick pavers, or similar material approved by the Town Council. – Developer has eliminated the gravel parking and said that all parking will be some sort of hard surface.
6. All buildings shall comply with the design intent set forth in the Architectural Pattern Book for the Grapevine Wash project. All buildings which are three (3) stories or more in height shall be subject to design review by the Planning Commission prior to issuance of a building permit. The purpose of such design review is to promote compliance with the Architectural Pattern Book. – Nicholson stated the compliance with the Architectural Pattern Book will be critical. The Town Council discussed the maximum height of buildings; the general consensus was to have a maximum height of thirty five feet which would allow up to 3 story buildings. Driveway widths were also discussed.
7. Parking for residential units shall comply with section 6.4.3 of the Leeds Zoning Code, unless a modification to these parking requirements is specifically approved by the Town Council. – They discussed parking code requirements. Nicholson directed their current discussion to single family dwelling, and advised to wait for multifamily discussions until a detail plan is presented, and after details are proven acceptable through the completion of Phase I. Mayor Roberts reminded of last month's discussion and said he thought the Town Council agreed to stick with the two car garage requirement because it sets the pattern for safety the Town wants to comply with. Council Member Nate Blake asked if the two car garage requirement was also for multifamily or if covered car ports were acceptable for them. Roberts replied that previous dialog was "let's see what Grapevine plans" and look at the existing ordinances and then decide from there. Nicholson said code 6.4.3.1.3 stated the requirement for two parking spaces but that one needed to be enclosed. He also said code 6.4.11 gives the town the ability to make adjustments. Blake advised they would need to look at apartment parking requirements in the future, to which Roberts agreed. Council Frank Lojko cautioned to not approve anything below codes but asked Nicholson if there was something in the Mixed Use Ordinance that would allow changes. Bob Nicholson answered mixed use parking code 23.9.5 gives the Town the ability to reduce the parking requirement if it can be shown that shared parking is a viable alternative. He also informed of code 23.10 which states modifications maybe approved at the Town's sole digression, upon finding it meets the spirit and intent of Chapter 23 of Land Use Ordinance 2008-04. Maintenance responsibility for public streets and utility systems shall be determined and approved as part of the Final Development Agreement for Grapevine Wash. – Mayor Roberts said this item still needs to be discussed in depth with town engineer present. He noted this was a key issue of the agreement. In answer to a question from Town Council member Frank Lojko, GW representative Drake Howell stated that Rocky Mountain did not anticipate the need for an additional substation and GW intends to have the electrical lines placed underground.

8. A second public street access is required when GW has 101 or more dwelling units, and a third public street access is required when 600 or more dwelling units have been issued building permits. –Mayor Roberts stated that all the streets in the development will be “public streets”, so strike the word “Public”. The number of homes will need to be addressed once the applicant gives a modified mitigation plan. Lojko asked about eminent domain, Babylon Mill Road(200 North) and Old Babylon Road(900 North) reference in the agreement to which Nicholson, stated Attorney Snow has already struck the eminent domain, and the Babylon roads references from the draft agreement.
9. GW shall create a project-wide master HOA with CC&R’s which creates an Architectural Review Committee (ARC) for the project. The ARC shall review plans before submittal to the Planning Commission and Town Council. – Nicholson said that this is a broad overview of the building permit approval process.

Discussion was then had about a sewer system. Lojko asked if State law would require town residents to hook onto a sewer system for which GW received a grant. To which, Mayor Roberts stated no because GW Local District is a separate entity and can receive grants separately from the town. Town Council Member Nate Blake asked if a 5 lane Main St. was “off the table”, to which Nicholson stated it seemed the Town Council has taken a 5 lane Main St. “way off the table”. Discussion was then had about Fire Protection. Fire Chief Steve Lewis stated that Leeds Area Special Service District (LASSD) is currently in negotiations with GW for an Interlocal Agreement. Culinary water was then discussed. Mayor Roberts said Leeds entered a pooling agreement with Washington County Water Conservancy District (WCWCD) to enable Leeds to whole sale water and be the water authority. WCWCD does serve water to homes throughout the county but enters into pooling agreements for municipalities. Town Council Member Angels Rohr asked if Leeds would need to provide culinary water to GW, to which Roberts stated GW has the ability to provide its own water. However, this will need to be discussed in depth with condition list # 8 above. Roberts then asked Nicholson if he had any further comments, to which Nicholson said no.

Roberts then turned over time for Public Comment as follows:

Ron Cundick - he noted the draft agreement required an inter-local agreement between the town and the developers and had the following concerns: 1) is there an inter-local agreement? And noted that the TC has the total discretion on exceptions, and he would like to see the draft copy; 2) the agreement says that if there is a conflict between what the ordinance says and the agreement says and agreement prevails. Ron is asking that the Town ordinance should prevail and is asking the Town Council to reverse it; 3) if the sewer system for GWW district that uses state or federal funding, would require the entire town to connect/participate to the new system.

Kevin Lee – Said that it is necessary to see some of these drafts. He suggested that before any proposals come before the town which influences private property, the property owner be contacted; he noted that in his opinion, the shortest route for a second access is Babylon; and asked that agenda items be better specified.

Annette Densely – Resident of Harrisburg said on behalf of Harrisburg residents she advised they are not interested in a 4 way Interstate Interchange at Harrisburg.

Don Goddard – Leeds Resident for 45 years, noted he would take the issue to the Attorney General if he finds anything wrong.

Alan Howard – Owns the property adjacent to the 900 North Access Road and noted that he is unwilling to sell any portion of his property for a larger access than the current 60’ right of way. He advised that he needed to preserve the rest of his property to protect the ground water for his Crystal Springs business. Noted that Linda Lott gave her comment time to Alan Howard.

Elliot Sheltman – Thanked the Town Council for their efforts and for the Grapevine Open House. He noted his concerns that the current drawings did not show floor plans or price points. Wondered how prepared Grapevine is and what due diligence they have done. He thought the agreement should be iron clad with no risk put upon Leeds.

Betty McKnight – wondered why Grapevine would be willing to wait so long for a profit and asked how close the town is to signing a final agreement. To which Mayor Roberts stated he would not speculate on the timing and noted they did not yet have a completed draft. She then stated the following concerns: 1) Is 900 North county road. If not, she thought Grapevine was land locked: 2) the agreement needed to include the specific proposed sewer plan: 3) Concern about the 50 year clause, due to future changes: 4) zoning variations and parking for studio apartments.

Martha Ham – Asked who the members of the Grapevine Wash Local Special Service District Board are and how they were appointed. To which Mayor Roberts informed the board members had to be property owners in the district, or agent or officer of an owner of land within the Grapevine Wash District and their names are listed on the local district document. Grapevine Wash Representative Drake Howell stated the board was nominated by the land owners served by the district, and then elected by the Town Council approximately one year ago at a public meeting that was publically noticed.

Susan Savage - Appreciate the Town Council for serving and having public comment. Noted that we are all stewards of this land. She noted that when mining the area they found a petrified forest, it might have been a Wonder of the World. She reiterated that our area is a treasure. Also, that more than economics and property rights are involved.

After ascertaining there were no more public comments, Mayor Roberts moved forward to the next item on the agenda.

3. **Draft Ordinance for Leeds area Cemeteries Update** - Mayor Roberts asked Contract Planner Bob Nicholson if cemeteries need to be dealt with as a land use issue, using land use procedures, to which Nicholson replied that he would research for the answer. Roberts noticed that the present draft is two drafts merged together. He answered the prior question regarding the requirement of vaults. He stated that vaults stabilize the land and that he wasn't aware of any municipalities in Utah require a vault. Town Council member Nate Blake said he thought that all the town council members have read it and are comfortable with putting it on the next agenda, to which council member Frank Lojko agreed. Roberts stated he would like the State Code reviewed to ascertain if it needs to be dealt with as a land use item. Citizen Darrell Nelson asked if he could review it before the council made final approval. The Town Council agreed to this.

4. **Discuss West Center Street Roadway and Drainage** – Mayor Roberts reminded that a property owner had deeded a portion of his property to the town to allow better road access to the Cuff property. He noted the town has conducted an agreed upon survey so the property owner could set a fence. He said it is important for the town to establish where the property lines are. Roberts also noted that there is also a drainage issue. A great deal of sediment appears after a significant rainfall. He said it needed a good defined drainage, and the town may want to look at mitigating this at a future date.

UPDATES BY STAFF:

Frank Lojko – He noted that the Town Council has approved to chip and seal West Center Street, but it has been waiting for some issues to be dealt with. After the fence is installed, the town could complete the chip and seal. He also said he was proud of Mayor Roberts for following all the rules and procedures. He said "Hats off" to the Mayor for going through the last difficult months and allowing Public comment.

Mayor Roberts – Responded by pleading for the public to have dialogue with appointed officials. He noted that he may sometimes come across as annoyed, but he has to consider the process, establish an agenda and try to accomplish the items on the agenda. He said the town will follow the ordinances and procedures of the State and Town regardless of the applicants. He noted if the town follows proper procedures, the town will not need to be concerned with lawsuits. Roberts also asked for the council's opinion for bidding on a .03 acre parcel of land adjunct to the cemetery parking lot at the Washington County tax sale. The council agreed.

Angela Rohr – She noted that she attended the Washington County Solid Waste meeting and informed that they had lost their recycling coordinator and also reminded that Leeds receives funds from Washington County for recycling.

CLOSED MEETING – A Closed Meeting was not held.

Adjournment

1. **Adjournment** by Frank Lojko **9:49 p.m.**

APPROVED ON THIS 13th DAY OF June, 2012.

Alan Roberts
Mayor Alan Roberts

Attest:

Amy Fisher
Leeds Clerk/Recorder Amy Fisher



JUNE

PUBLIC NOTICE
TOWN OF LEEDS
PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, June 6, 2012 at 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Commission Members, if any
5. Consent Agenda
 - Tonight's Agenda
 - Minutes of May 2, 2012 Planning Commission Meeting.
6. Announcements

PUBLIC HEARING

7. Staff Report by Contract Planner regarding ORDINANCE 2012-04 AMENDED, RESTATED AND SUPERCEDED OF CHAPTER 21 (Subdivisions) Of the LAND USE ORDINANCE 2012-01
8. Public comments on proposed ORDINANCE 2012-04 AMENDED, RESTATED AND SUPERCEDED OF CHAPTER 21 (Subdivisions) Of the LAND USE ORDINANCE 2012-01

ACTION ITEM:

9. Discussion and Possible Recommendations on County Treasure Signature Block on Final Plats.

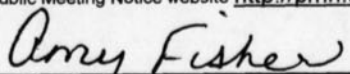
DISCUSSION ITEMS

10. Discussion on possible amendments on the Sign Ordinance.
11. Discussion on Annexations, Disconnects (De-annexations), Development Agreements, Interlocal Agreements, Franchise Agreements and Special Service Districts and Basic Local Districts.
12. Discussion on Impact fees, Capital Facility Plans, Reimbursement Agreements, General Obligations Bonds, Special Obligation Bonds, State Infrastructure Loans, Special Assessment Areas (SAA's) formally known as Special Improvement Districts (SID's), Grants, B & C Road Funds, Property Tax Franchise Tax and Sale Tax.
13. Discussion on possible Draft Zoning Code Amendment regarding Regulations for Short Term Residential Rentals.
14. Master Road Plan Purpose Discussion
15. Review Master Road Plan Ordinance 2007-15 starting with Planning Commission assignment areas regarding Geography, Current Zoning and Potential Zoning.
16. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted June 4, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Amy Fisher, Clerk / Recorder

TOWN OF LEEDS
PLANNING COMMISSION

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will occur at the
Planning Commission Meeting on
Wednesday, June 6, 2012 at 7:00 p.m.
At the Leeds Town Hall 218 North Main Street, Leeds, Utah.

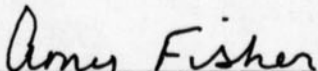
The purpose of the hearing will be to receive public comments relative to
the following proposed Ordinances and Amendments:

▪ **PROPOSED ORDINANCE 2012-04
AMENDED, RESTATED AND SUPERCEDED OF
CHAPTER 21 (Subdivisions)
Of the LAND USE ORDINANCE 2012-01**

Washington County is asking that all municipalities adopt an ordinance
requiring the signature of the county treasurer on final plats
demonstrating that property taxes due and owing have been paid.

Notice of Special Accommodations. In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting. The undersigned Clerk/Recorder does hereby certify that the above notice was posted May 24, 2012, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org. On May 27, 2012 notice was posted in the Spectrum Newspaper.



Amy Fisher, Clerk / Recorder

TOWN OF LEEDS PLANNING COMMISSION MEETING

Wednesday, June 6, 2012 at 7:00 p.m.

MINUTES

1. **Call to Order** – By Chair Jared Westhoff @ 7:06 pm.
2. **Pledge of Allegiance** – Was led by Commissioner Diane Burton
3. **Roll Call** – Present was Chair Jared Westhoff, and Commissioners Ray Beal, Diane Burton, and alternate Alex Beal. Absent were Doug Erdmann and Bill Lytle. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Engineer Rick Snyder from Sunrise Engineering and Clerk/Recorder Amy Fisher.
4. **Declaration of Abstentions and Conflicts by Commission Members, if any** - Jared Westhoff has no conflict with anything on the agenda. As an abundance of caution, he would declare a conflict of interest as it relates to the Road Master Plan, even though he doesn't have one, he does receive financial benefit from the Stirling family where his daughter works for them. He has used, does use, and will use many of the consultants that Grapevine Wash uses, but has nothing to do with the project and has no ties to it and no financial benefit from it. He hasn't looked at the project since he left the town council.
5. **Consent Agenda** -
 - **Tonight's Agenda** – A Motion was made by Diane Burton with a second by Ray Beal to approve tonight's agenda. Unanimous – AYE
 - **Minutes of May 2, 2012 Planning Commission Meeting.** – Chair Jared Westhoff stated there is an incomplete sentence and a couple thoughts that weren't finished that need correction. Commissioner Diane Burton stated that she was there on March 7, 2012 and she was not there for the April 4, 2012 meeting. A Motion was made by Chair Westhoff with a second by Ray Beal to table the minutes until corrections are made.
6. **Announcements** – Chair Jared Westhoff stated that longtime resident DeWayne Eagar passed away and sends condolences to the Eagar family.

PUBLIC HEARING

7. **Staff Report by Contract Planner regarding ORDINANCE 2012-04 AMENDED, RESTATED AND SUPERCEDED OF CHAPTER 21 (Subdivisions) Of the LAND USE ORDINANCE 2012-01** - Contract Planner Bob Nicholson stated that Washington County has asked all municipalities to adopt an ordinance requiring a County Treasure signature block on final plats. Due to subdividing of parent parcels which owe back taxes. Even though the new parcels with new tax numbers stayed current on their property taxes, the owners are losing their homes because the parent parcel's taxes are years past due. Nicholson then stated that our Town Attorney Heath Snow has reviewed it and he is recommending that the Town should pass it "as is" with these suggested changes; instead of "Municipality" use "Town of Leeds", with a signature block for the Mayor and Clerk/Recorder. Chair Westhoff stated that the reason this is coming about is there were a couple of subdivision that were approved in Washington County. The municipality or the county in which located did not do a full title report check. The parent parcel didn't have all the property taxes paid, so when the parent parcel was subdivided the new owner's began paying taxes on the subdivided parcels, but because the parent parcel wasn't paid the new owner's lost their homes. Leeds current check list requires a full title report.

Westhoff asked Town Attorney Heath Snow if there were any unintended consequences with the county as far as a new fee without an Interlocal agreement, Town of Leeds approval, or abuse of the signature block and Heath alleviated those concerns, stating that the Ordinance could just be revoked by Leeds if it was needed. A Motion was made by Ray Beal to open the public hearing.

8. Staff Report by Contract Planner regarding ORDINANCE 2012-04 AMENDED, RESTATED AND SUPERCEDED OF CHAPTER 21 (Subdivisions) Of the LAND USE ORDINANCE 2012-01 -

Contract Planner Bob Nicholson stated that Washington County has asked all municipalities to adopt an ordinance requiring a County Treasure signature block on final plats. Due to subdividing of parent parcels which owe back taxes. Even though the new parcels with new tax numbers stayed current on their property taxes, the owners are losing their homes because the parent parcel's taxes are years past due. Nicholson then stated that our Town Attorney Heath Snow has reviewed it and he is recommending that the Town should pass it "as is" with these suggested changes; instead of "Municipality" use "Town of Leeds", with a signature block for the Mayor and Clerk/Recorder. Chair Westhoff stated that the reason this is coming about is there were a couple of subdivision that were approved in Washington County. The municipality or the county in which located did not do a full title report check. The parent parcel didn't have all the property taxes paid, so when the parent parcel was subdivided the new owner's began paying taxes on the subdivided parcels, but because the parent parcel wasn't paid the new owner's lost their homes. Leeds current check list requires a full title report. Westhoff asked Town Attorney Heath Snow if there were any unintended consequences with the county as far as a new fee without an Interlocal agreement, Town of Leeds approval, or abuse of the signature block and Heath alleviated those concerns, stating that the Ordinance could just be revoked by Leeds if it was needed. A Motion was made by Ray Beal to open the public hearing.

9. Public comments on proposed ORDINANCE 2012-04 AMENDED, RESTATED AND SUPERCEDED OF CHAPTER 21 (Subdivisions) Of the LAND USE ORDINANCE 2012-01 –

Chair Jared Westhoff stated a few rules that the Planning Commission is interested in hearing your comments or anything that the staff report didn't discuss, or they haven't discussed, because the Planning Commission wants to make good decisions and that they have input from the public to make those decision but that comments already discussed be held. The Planning Commission will take note of the comments and that each person has 3 minutes for comments; as everyone's time is valuable.

Anita Low – Stated that looking at the agenda under public hearing she doesn't see the County Treasure Signature block there, so it isn't a public hearing for tonight and the Planning Commission cannot have any action on it, to which Bob Nicholson replied that it is item number seven (7) and eight (8) and that the County Treasure Signature Block is a subdivision of Ordinance 2012-04.

Danielle Stirling – asked if there was an added cost for the town to have this ordinance that the county will charge to have them sign and to have the Planning Commission look into it and make sure before any action was taken, to which Bob Nicholson replied that there has never been a fee for a signature block and that it wouldn't be a fee that was assessed to the town, it would be assessed to the person recording the plat.

Mayor Alan Roberts - responding to Danielle's question stated he has had full dialog with the County Commissioners about this. Title Insurance should take care of this; it does not and has not in a number of cases because there are Title companies that no longer exist. The county does not charge a fee for the signature on final plats. Chair Westhoff stated that he is not aware of any city or municipality that charges for signature block.

A motion was made by Chair Westhoff and second by Commissioner Alex Beal to close the public hearing. Unanimous - AYE

ACTION ITEM:

10. Discussion and Possible Recommendations on County Treasure Signature Block on Final Plats

– A Motion was made by Alex Beal and second by Ray Beal to send the signature of the county treasurer indicating at the time of signing that the property taxes, special assessments, and fees due and owing have been paid in full to the Town Council, recommending approval. Unanimous – AYE

DISCUSSION ITEMS

11. Discussion on Possible Amendments on the Sign Ordinance – Contract Planner Bob Nicholson stated that in general Town of Leeds has a good sign ordinance and only needs a few changes. The main ones deal with commercial signs. Political and Campaign signs, Nicholson stated need to eliminate most of the regulations that are currently in place simply because they aren't legal and Political & Campaign signs are kind of in a protected category. Nicholson suggests deleting the language for Master Sign Program for a Business Center; it seems rather confusing and should be replaced with Wall Signs 22.2.2.2 and Business Monument Sign 22.2.2.3 (current section 22.2.2.2.1) with additional language for a business with more than 100 feet frontage on a public street. At this time Town of Leeds doesn't make a distinction whether it's a small commercial or large commercial property, they would have the same size sign. Nicholson is also purposing language for a pole sign with references to location of freeway exit. Town of Leeds doesn't have an ordinance for this, at this time. Chair Jared Westhoff stated that the sign ordinance came about because the town didn't want a bunch of banners everywhere, but the sign ordinance was too restrictive and the business owners couldn't get all of their information on the sign. Westhoff stated the need to strike a balance between keeping things attractive and yet functional for the business. Pole sign maximum and minimum heights would be in proximity to the location of the freeway interchange or exits. Nicholson will bring some photo examples of sign sizes at the request of the Planning Commission. Commissioner Diane Burton asked if the size of the civic signs has been changed to which Nicholson replied that it has been changed from twenty-four (24) to seventy-two (72) square feet. Commissioner Ray Beal asked about the Town of Leeds historical signs and if they are larger than what is in the ordinance. Chair Westhoff stated that they are larger and asked Nicholson to make a recommendation that would include changes in the ordinance language for historical signs to conform to what is already in place. Commissioner Alex Beal noted that there are no changes to the Prohibited signs ordinance.

12. Discussion on Annexations, Disconnects (De-annexations), Development Agreements, Interlocal Agreements, Franchise Agreements and Special Service Districts and Basic Local Districts.

Contract Planner Nicholson stated that the purpose for this discussion is mainly for information and education for the Planning Commission and read the background of the staff report, which gave definitions of each type of Agreement listed above. Chair Westhoff stated that this discussion was brought up due to Commissioner Diane Burton asking about the process that is required to annex areas like Hidden Valley and not here to discuss annexing Hidden Valley, but to use it as an example to illustrate how the above tools could be used. Burton asked several questions and pointed out the Hidden valley has many concerns and they may or may not want to be annexed, but was curious how some of those concerns could be dealt with. The staff report reiterated that we are not here to talk about annexing Hidden Valley and that a petition would need to come from Hidden Valley. Burton also asked about the Angell Springs Special Service District to which Westhoff replied that during an annexation, the Interlocal agreement could be negotiated to meet the concerns with the Special Service District. Nicholson stated that with annexations, now under the Utah State Code Law they are requiring towns to adopt what they call a future growth area. It is a master annexation area that identifies the future potential boundary. The master annexation has to be approved by the Town Council and sets forth the future boundary. Towns may have the same future area; it's just an area that will be considered for future growth. If the two towns have the same area, the property owner will have a choice. If there is a dispute it will go before the County Boundary Commission for resolution. Westhoff stated for a petition to be filed thirty-three (33) percent of the property value will need to want to be annexed and for a petition to be fully accepted it needs to be more than half the property value to which Nicholson stated that the process is all spelled out in the Utah State Code. Westhoff stated that with a disconnect it is usually due to a city or municipality is unable to provide services to a property owner. Westhoff stated that an example of an Interlocal Agreement will be the (Fire) Leeds Area Special Service District (LASSD) and there are things that are between the Town of Leeds code and LASSD codes that are constantly being coordinated. He also stated that an example of a Franchise Agreement could be between Leeds Domestic Water and User Association and the Town of Leeds. The agreement would provide some guidance and direction on the processes outlined in the agreement and some continuity between boards. Franchise agreements are much like Interlocal agreements. Franchise agreements are used between a government and private and an Interlocal is between two government entities.

Basic Local District is like a Special Service District they can own and operate the facilities that they construct or they can construct the facilities and turn them over to the local municipality. They are basically used so they can localize cost to those who are getting the services. As an example, in the annexation of Grapevine Wash, the Town of Leeds required that they do an Interlocal Agreement that was acceptable to the town so there isn't another entity that the town would have to deal with and have function in how those entities work together. The Basic Local District would localize the cost and bare the financial burden but do it in a way that is acceptable with the town.

- 13. Discussion on Impact fees, Capital Facility Plans, Reimbursement Agreements, General Obligations Bonds , Special Obligation Bonds, State Infrastructure Loans, Special Assessment Areas (SAA's) formally known as Special Improvement Districts (SID's), Grants, B & C Road Funds, Property Tax Franchise Tax and Sale Tax.** Nicholson stated that the purpose for this discussion is mainly for information and education for the Planning Commission and read the background of the staff report, which gave definitions of each type of Revenue listed above. Nicholson stated that Impact fees are an assessment on new development to cover the cost for the town for, building basic infrastructure, the fee for water, sewer, parks, and other types of fees. The law is covered in the Utah State Law Code, Title 11 – section thirty-six (36) A. Chair Westhoff asked if it covered only towns to which Nicholson stated it was for Towns, Counties, Special Service Districts and Private companies. Nicholson stated that Leeds has street, a park and a public safety impact fee and that it is assed at the time the person obtains a building permit to which Chair Westhoff stated that those impact fees have a direct correlation to the cost and that they can't be arbitrary. Nicholson stated that it is required to keep a separate account for the different fees and that they have to be used within 6 years for impacts related to new development. Nicholson stated that voters have to approve a General Obligation Bond, that the majority of the public has to be in favor of the bond and then it becomes an assessment on the property tax. Chair Westhoff stated that the difference between a General Obligation Bond and Special Obligation Bond is that a Special Obligation Bond is for a localized area that needs improvements and the General Obligation Bond is used for system wide improvements. Nicholson stated Special Assessment Area is where property owners in a special area will petition the Town Council to provide a service and the property owners are willing to pay an extra property tax for that service. Chair Westhoff stated that on Sales tax that fifty (50) percent of the sales tax goes to the city where the tax was generated from and that the other fifty (50) percent goes into a general pool that is divided out according to the census count and distributed statewide. A discussion about General Obligation Bonds and Special Obligation Bonds then ensued between the public; Elliott Sheltman, Peter Aurigemma and Chair Westhoff. Commissioner Alex Beal stated that this has turned into a public hearing and it shouldn't be a public hearing. Chair Westhoff stated that the Planning Commission does deal with Land Use issues and that these revenue tools are helpful in understanding how to address these issues and to make good land use decisions.
- 14. Discussion on possible Draft Zoning Code Amendment regarding Regulations for Short Term Residential Rentals.** Contract Planner Nicholson read the background of the staff report which defines short-term residential rental properties as twenty-nine (29) days or less and only to residential zones. Short-term rentals are often referred to as 'vacation rental homes'. Town of Leeds zoning code does allow for Bed and Breakfast Inns in residential zones subject to obtaining a Conditional Use Permit and a Town business license. Nicholson then read the *proposed* amendment to Leeds Town Zoning Code, Chapter 4 "Supplementary & Qualifying Regulations". Chair Jared Westhoff stated that he would like to see it more as an overlay zone that people could apply for and then have there be pretty stringent protections for any existing developments or subdivisions, like amending a plat. If a developer wanted to apply for overlay overnight rental zone in a new development or subdivision and then when the general public wants to buy into that subdivision the public would have that knowledge up front, not after the fact. Nicholson stated about the concerns of not having an on-site manager like a Bed & Breakfast. Commissioner Diane Burton agrees with Westhoff that the owner needs to be held to strict criteria and that whoever they rented to would oversee it in some way. Chair Westhoff stated that they need to look at the past meeting minutes and other criteria issues more before a recommendation went to the Town Council and that this issue will be on the next Planning Commissions agenda.

15. **Master Road Plan Purpose Discussion** - Contract Planner Nicholson read the background of the staffing report and stated that the Town of Leeds adopted the 2007 Leeds Master Road Plan, it was done very well and he was impressed with it. A Master Road Plan is usually reviewed every 5 years. Discussion is at the request of the Town Council to evaluate the entire Master Road Plan to see if it still meets the long range circulation needs of the town. Placement of a proposed road on the Master Road Plan doesn't guarantee that such road will be built, nor does it obligate the Town to have the road built. Chair Westhoff stated that he checked with legal counsel and one of the reasons there is a Master Road Plan in place is to make sure that a town doesn't act arbitrarily and capriciously. The Leeds 2007 Master Road plan is there to give a guideline and direction to the town and that the general road plan can move one direction or another, it is not the actual roadway design.

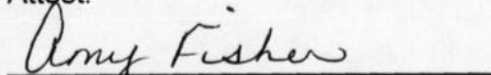
16. **Review Master Road Plan Ordinance 2007-15 starting with Planning Commission assignment areas regarding Geography, Current Zoning and Potential Zoning.** Contract Planner Nicholson hung a map on the wall and pointed out the areas that each Commissioner was assigned. Commissioner Diane Burton has area one (1) which is south west portion of town, area west of I-15. Area two (2) is in the northwest corner, area west of I-15 and that was assigned to Commissioner Doug Erdmann. Area three (3) is the existing part of town and assigned to Commissioner Ray Beal. Area four (4) is the east portion that includes all of Grapevine Wash was assigned to Commissioner Bill Lytle. Area five (5) is the north east quadrant was assigned to Chair Jared Westhoff. Town Engineer Rick Snyder stated that typically what goes into putting these roads out is a roadway classification system, and what goes into the studies is that they start with the general plan and typically go a little wider to include areas that could be annexed. They take the general plan and break them into zones which are called Traffic Analysis Zones (TAZ's). Once these TAZ's are broken out they use a Trip generation manual to determine how many trips are needed on this particular road and they take a road network and figure out how these trips go about the town and that helps to determine how wide the streets need to be and how frequently they will be used. Snyder also stated that a good road map would be helpful with an impact fee analysis plan, Capital Facilities and a road maintenance plan. Commissioner Burton stated that looking at her area, how to get from point A to point B. Hidden Valley and Silver Reef is like a cul-de-sac, there is only one way in and one way out and from a safety standpoint there needs to be another access road. Burton had some suggestions on three other access roads as possibilities, two of which were already in the 2007 Leeds Master Road Plan. Commissioner Ray Beal has talked with people in his area and asked them to let him know if they would like something different than what is already on the map. Beal stated that the road on the hill to Snow's property is drawn in a very steep area, probably won't work and will need to be relocated. Beal then drove out in the area with a property owner that had some suggestions for other access roads. Beal also spoke with the Stirling family about leaving the road where it is or the possibility of relocating in a different area on the property. Chair Westhoff stated the road going down the Howards runway and their driveway should be moved, he indicated he still needs to talk to the property owners in his area and coordinate with Commissioner Lytle on his area. Nicholson suggested to work with Sunrise Engineering to get a general Traffic Analysis and suggestions for a master road map, and then work with the Commissioner in that area.

17. **Adjournment** - A **Motion** was made by Ray Beal with a **second** by Diane Burton to **Adjourn** at 10:15 p.m.

APPROVED ON THE 1st DAY OF August, 2012.


Pro Temp Chair, Bill Lytle

Attest:


Clerk/Recorder, Amy Fisher

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, June 13, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is encouraged to attend

AGENDA - Amended

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of abstentions and conflicts by council members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from April 25, 2012 and May 23, 2012 Town Council Meetings
6. Announcements: Intern students conducting studies for trail connection from Silver Reef to Harrisburg
7. **Citizen Comment:** No action may be taken on a matter raised under this agenda item. This item is reserved for items not listed on this agenda. (Three minutes per person. Five minutes per spokesperson per group.)

PUBLIC HEARING:

PUBLIC HEARING:

1. Introduction and Town Council discussion on opening and amending the FY 2011-2012 Budget.
2. Public comments on opening and amending the FY 2011-2012 Budget.

PUBLIC HEARING:

3. Introduction and Town Council discussion on reviewing and approving FY 2012-2013 Budget.
4. Public comments on reviewing and approving FY 2012-2013 Budget.

REGULAR MEETING:

ACTION ITEMS:

5. Consider approval of opening and amending the FY 2011-2012 Budget.
6. Consider approval of FY 2012-2013 Budget.
7. Discuss and consider approval of expenditure for fencing and minor excavating for West Center St.

WORK SESSION:

DISCUSSION ITEMS:

8. Discuss possibility of health insurance for elected and appointed officials.
9. Discussion on BLM property conflicting with Catholic Cemetery - Recreation and Public Purpose (RP&P) from BLM.
10. Discussion of Leeds area Cemetery Draft Ordinance.
11. Discussion of Final Development Plan for Grapevine, Exhibit J, Road Portion.
12. Discussion of Language of Grapevine Final Development Plan draft agreement.

UPDATES BY STAFF:

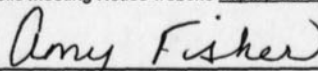
- 13.

CLOSED MEETING - A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c); or for the discussion of the purchase, exchange, or lease of real property, including any form of a water right or water shares; as allowed by Utah Code 52-4-205(1) (d).

14. Adjournment

compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted June 12, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Amy Fisher, Clerk / Recorder

**TOWN OF LEEDS
TOWN COUNCIL MEETING**

June 13, 2012

MINUTES

BUSINESS SESSION:

Regular Meeting 7:00pm

1. **Call to Order** – At 7:10 pm by Mayor Roberts
2. **Pledge of Allegiance** – Was led by Mayor Roberts
3. **Roll Call** – Present were Mayor Alan Roberts and Council Members, Nate Blake, Angela Rohr, and Frank Lojko. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Treasurer Jean Beal, Town Engineer Rick Snyder from Sunrise Engineering and Clerk/Recorder Amy Fisher. Absent was Council Member Joe Allen.
4. **Declaration of abstentions and conflicts by council members, if any** – None
5. **Consent Agenda:**
 - a. **Tonight's Agenda** – A **Motion** was made by Council Member Nate Blake and with a **second** by Council Member Frank Lojko to strike Item number twelve (12) from the agenda. Mayor Roberts stated that legal counsel was not present with the legal draft document.
 - b. **Minutes of Meetings from April 25, 2012 and May 23, 2012 Town Council Meetings** – A **Motion** was made by Council Member Nate Blake and with a **second** by Council Member Frank Lojko to approve the meeting minutes from April 25, 2012 and May 23, 2012. An **AYE** vote was unanimous.
6. **Announcements: Intern students conducting studies for trail connection from Silver Reef to Harrisburg** – Mayor Roberts stated that there are 8 students that will be here for about 10 weeks to do a trial study from Silver Reef to Harrisburg area. The purpose of the trail is to have access to see the historical sites in the area. The second announcement is for any family or group that is willing to place and remove the flags on Main Street on a holiday is still available. Frank Lojko wanted to say Thank You to Nate Blake for all his efforts and work on the Silver Reef signs.
7. **Citizen Comment:** - None

PUBLIC HEARING:

PUBLIC HEARING:

1. **Introduction and Town Council discussion on opening and amending the FY 2011–2012 Budget** – Discussion on the expenditures and revenues between Town Council Members and Leeds Town Treasurer Jean Beal. Some of the larger discrepancies between what was spent and what was budgeted were Historical Preservation due to a grant and another area was Accounting due to having to pay for an audit. Treasurer Beal stated that the money for the Curb and Gutter has to be spent this year or given back. The difference in the Parks/Public Works was for the chips and some irrigation that went into the park this year. In the revenue side, Class C road funds Town of Leeds just took in another payment. Professional services were for building inspection and engineering. Franchise fees came in above the budget. General Sale's tax was up significantly. Budgeted was 272,546.00 and revenue year to date is 307,564.15, so the Town of Leeds will be audited again, which will cost about \$6,000.00. A **motion** was made by Angela Rohr with a second by Frank Lojko to amend the 2011/2012 budget to bring it into line with the expenditures. **A Roll call vote was taken:**

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	x	_____	_____	_____
COUNCIL MEMBER NATE BLAKE	x	_____	_____	_____
COUNCIL MEMBER ANGELA ROHR	x	_____	_____	_____
COUNCIL MEMBER FRANK LOJKO	x	_____	_____	_____
COUNCIL MEMBER JOE ALLEN	_____	_____	_____	x

2. **Public comments on opening and amending the FY 2011–2012 Budget** – A motion was made by Frank Lojko with a second by Nate Blake to move into a public hearing on the amended budget 2011/2012. An **Aye** vote was unanimous from those present. **Elliot Sheltman** asked what the new number was to which Mayor Roberts replied at this time it is 307,564.15 and will go up by the end of June. Elliot then mentioned that the sales and use tax is up due to the higher prices on products. A Motion was made by Frank Lojko with a second by Nate Blake to close public comment. An Aye vote was unanimous from those present. A **motion** was made by Angela Rohr with a second by Nate Blake to amend the 2011/2012 budget to bring it into line with the revenue. **A Roll call vote was taken:**

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER NATE BLAKE	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER ANGELA ROHR	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER FRANK LOJKO	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER JOE ALLEN	<u> </u>	<u> </u>	<u> </u>	<u> x </u>

PUBLIC HEARING:

3. **Introduction and Town Council discussion on reviewing and approving FY 2012-2013 Budget.** – Mayor Roberts stated that budgets are the best guess off the information that you have previously. The Town Council has looked at the last couple of years to help with the budget for 2012-2013. The Town Council and Treasurer Jean Beal then discussed the expenditures and revenue from previous year and what is proposed for the budget 2012-2013. A **motion** was made by Frank Lojko with a second by Nate Blake to move into a public hearing on the 2012-2013 budget.
4. **Public comments on reviewing and approving FY 2012-2013 Budget.** – Elliot Sheltman questioned what the proposed budget is to which Mayor Roberts replied \$279,721.00. Elliot also asked questions about the drop of revenue coming in; the expenses and take in to consideration police coverage, due to the recent increase of break-ins and crime in the area; to which Mayor Roberts replied public safety would have quite an impact on the budget and has had some discussion as the Town Council on whether to continue to collect impact fees for public safety and decided to continue even though the Town of Leeds doesn't offer that service and decided to look at the issue again in the future. A **motion** was made by Frank Lojko with a second by Nate Blake to close the public hearing on the proposed 2012-2013 budget. An **Aye** vote was unanimous.

REGULAR MEETING:

ACTION ITEMS:

5. **Consider approval of opening and amending the FY 2011–2012 Budget.** - This was discussed and action was taken during agenda Item Number two (2).
6. **Consider approval of FY 2012-2013 Budget** - A **motion** was made by Frank Lojko with a second by Nate Blake to approve the proposed FY 2012-2013 budget that has been reviewed here at the TC meeting and the budget amount is a total of \$279,721.00. **A Roll call vote was taken:**

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER NATE BLAKE	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER ANGELA ROHR	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER FRANK LOJKO	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COUNCIL MEMBER JOE ALLEN	<u> </u>	<u> </u>	<u> </u>	<u> x </u>

7. **Discuss and consider approval of expenditure for fencing and minor excavating for West Center St.** – Council Member Nate Blake stated that it is located at West Center Street and the Prisbrey property. The work needed would be some excavating and putting up a fence. Blake has two bids, one from Allied Fence Co. for \$777.00 for the fencing and one from Brett Comas for \$500.00 for the excavating; for a total of \$1,277.00. Mayor Roberts stated that part of the fence was put in and then the right of way was established, at the end of W. Center Street there is a twenty-five (25) foot easement that serves to Burt Cuff's property and the tower. This is a continuation of the fence that was established last year and goes down to the Prisbrey property where it accesses W. Center Street and it just defines the boundaries of the Town of Leeds right of way of that easement and the Prisbrey property. A motion was made by Angela Rohr with a second by Nate Blake for the approval of the expenditure of \$1300.00 for fencing and minor excavating at W. Center Street. **A Roll call vote was taken:**

ROLL CALL VOTE:

MAYOR ALAN ROBERTS
COUNCIL MEMBER NATE BLAKE
COUNCIL MEMBER ANGELA ROHR
COUNCIL MEMBER FRANK LOJKO
COUNCIL MEMBER JOE ALLEN

Yea	Nay	Abstain	Absent
X			
X			
X			
X			
			X

WORK SESSION:

DISCUSSION ITEMS:

8. **Discuss possibility of health insurance for elected and appointed officials.** - Mayor Roberts stated that in order for an elected or appointed official to participate they would have to work more than 20 hours for the Public Employees Health Plan (pehp), so need to look at other possible insurance companies.
9. **Discussion on BLM property conflicting with Catholic Cemetery – Recreation and Public Purpose (RP&P) from BLM.** – Mayor Roberts stated that a portion of the Historical Catholic Cemetery is in BLM property; he has spoken with BLM and would like to do a Recreation or Public Purposes (RP&P) request or a lease on the BLM property to protect what we have in this cemetery. If it ever became available for sale, anyone would be able to purchase it. It is common for municipalities, schools, parks and recreation areas to lease from BLM.
10. **Discussion of Leeds area Cemetery Draft Ordinance.** – Darrell Nelson stated that he went through Town of Leeds draft ordinance and gave a written proposal for changes to the Town of Leeds draft ordinance and he is looking for suggestions on the changes or any additions needed. Mayor Roberts stated that there are no documents that govern the cemeteries at this time and would like to get an ordinance put together to give some guidelines and regulations. Council Member Angela Rohr stated that she has done some research about unlawful activities like damage or defacing to cemetery property and would like to add this to the written proposal and possibly a curfew to which Darrell Nelson stated that he had some wording in the draft proposal already about defacing and damaging cemetery property.
11. **Discussion of Final Development Plan for Grapevine, Exhibit J, Road Portion** – Leeds Contract Planner Bob Nicholson stated there are two ways to approach the streets issue; one (1) is the street design that is interior to the project and second (2) is the access street to and from the property and the access streets falls into the mitigation plan which is still a work in progress, so the focus is the street designs that are interior to the project itself. Discussion between the Town Council Members, Contract Planner Nicholson and Town Engineer Rick Snyder about design speeds. Mayor Roberts stated that there are existing standards and a recommendation from the Planning Commission. Rohr stated that the speed limit of twenty-five was good for the populated areas, but that in the longer stretches it was too slow; to which Nicholson stated that Engineers recommended thirty-five and the Planning Commission recommended a speed limit of thirty (30) which is a good compromise. Mayor Roberts stated that under the Mixed Use Ordinance allows the Town of Leeds to look at roads with accepted standards case by case. Council Member Frank Lojko asked for Nicholson's and Snyder's professional opinion what is their best advice to give to the Town Council; to which Nicholson stated that he is comfortable with the ITE standards for traditional developments. A work session has been planned for July 11, 2012 Town Council Meeting to go through the details of the road portion of Exhibit J.
12. **Discussion of Language of Grapevine Final Development Plan draft agreement.** – Was stricken from the agenda due to Leeds Legal Representative not being present.

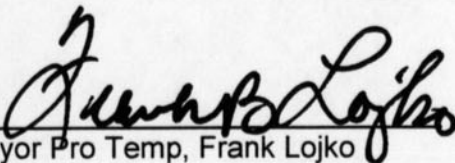
UPDATES BY STAFF:

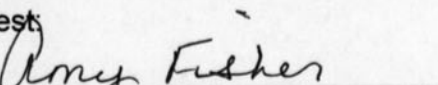
13. None

CLOSED MEETING – A Closed Meeting was not held.

14. Adjournment – a motion was made by Frank Lojko with a second by Nate Blake to adjourn the meeting at 11:15pm.

APPROVED ON THIS 27th DAY OF June, 2012.


Mayor Pro Temp, Frank Lojko

Attest:

Amy Fisher, Clerk / Recorder



PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, June 27, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is encouraged to attend

AGENDA

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of abstentions and conflicts by council members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from June 13, 2012 Town Council Meetings
6. Announcements
7. Washington County Arts Council Presentation by Joe Allen
8. **Citizen Comment:** No action may be taken on a matter raised under this agenda item. This item is reserved for items not listed on this agenda. (Three minutes per person. Five minutes per spokesperson per group.)

REGULAR MEETING:

WORK SESSION:

DISCUSSION ITEMS:

1. Discussion on BLM property conflicting with Catholic Cemetery – Recreation and Public Purpose (RP&P) from BLM, to authorize Rick Sant to act as representative for the Town of Leeds on this application.
2. Discussion on concerns about potential ban on fireworks, excluding the LASSD July 4th display.
3. Discussion on prioritizing general road projects.

UPDATES BY STAFF:

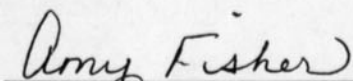
4.

CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c); or for the discussion of the purchase, exchange, or lease of real property, including any form of a water right or water shares; as allowed by Utah Code 52-4-205(1) (d).

5. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted June 11, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Amy Fisher, Clerk / Recorder

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, June 27, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is encouraged to attend

MINUTES

BUSINESS SESSION: Regular Meeting 7:00 p.m.

1. **Call to Order** – At 7:06 pm by Mayor Pro-Temp Frank Lojko
2. **Pledge of Allegiance** - Was led by Council Member Angela Rohr
3. **Roll Call** – Present were Mayor Pro-Temp Frank Lojko and Council Members, Nate Blake, Angela Rohr, and Joe Allen. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Treasurer Jean Beal, Town Engineer Russ Funk from Sunrise Engineering and Clerk/Recorder Amy Fisher. Absent was Mayor Alan Roberts.
4. **Declaration of abstentions and conflicts by council members, if any** - None
5. **Consent Agenda:**
 - a. **Tonight's Agenda** - A motion was made by Joe Allen with a second by Nate Blake to approve the agenda. An Aye vote was unanimous by those present.
 - b. **Minutes of Meetings from June 13, 2012 Town Council Meetings** - A motion was made by Joe Allen with a second by Nate Blake to approve the June 13, 2012 meeting minutes. An Aye vote was unanimous by those present.
6. **Announcements** – Mayor Pro-Temp Frank Lojko stated that there were students from Rhode Island School of Design asked them to introduce themselves and give a short description as to what their project is about. Student Michael Jacobs state that they were working on the historical trails to help restore, build and mark the trails in the area that will hopefully bring visitors to see the historical areas of Leeds. Student Karl Stipple stated that they are staying by the Leeds Market Monday through Friday and welcome everyone to stop by and visit, give information that my help their project and they can answer any questions the general public would have about the project. Council Member Nate Blake stated that the excavating and fencing on West Center Street has been completed and turned out nice. Council Member Angela Rohr stated that there is money approximately one thousand (1,000.00) dollars that needs to be spent on parks and that they are looking at Silver Reef/Highlands park or Leeds park. If anyone has any ideas as to what they would like to see at these parks, please contact Angela Rohr. Lojko stated that the Town Council wanted to compliment Fire Chief Steve Lewis and the fire fighters on an excellent and outstanding job they did with the Leeds fire.
7. **Washington County Arts Council Presentation by Joe Allen** – Joe Allen is a member of the Washington County Arts Council and serves as the representative for the Town of Leeds. The Arts Council's mission is to further the arts in southern Utah and they have put on educational art workshops and County wide gallery tours in the area; they meet Bi-monthly and the meetings are open to the public. Allen stated that in 2013 that Washington County will be putting on the ballot a sales tax for a program called Cultural Arts Recreational Enhancement (CARE) and that will go for the Arts Council, if approved by the voters. Ideas for the money from this program are building a performing arts center and a countywide trail system that connects from Enterprise to Zion's National Park. Allen is asking for a donation for one hundred dollars for this year and a continued donation for next year.

8. **Citizen Comment:** Betty McKnight spoke to the council on the procedures that pertained to Subdivision Plats, Design Standards and Street Cross section configurations. Betty handed out 3 separate information packets about what Washington County procedures are and expressed her concern about how the Town of Leeds is spending money on legal fees.

DISCUSSION ITEMS:

1. **Discussion on BLM property conflicting with Catholic Cemetery – Recreation and Public Purpose (RP&P) from BLM, to authorize Rick Sant to act as representative for the Town of Leeds on this application.** - Mayor Pro-Temp stated that there is a wedge of property that the Bureau of Land Management (BLM) owns and that the Town of Leeds is trying to apply for a Recreation and Public Purpose (RP&P) lease from the BLM. A general consensus was made by the Town Council to have Rick Sant represent the Town of Leeds in this application.
2. **Discussion on concerns about potential ban on fireworks, excluding the LASSD July 4th display –** Mayor Pro-Temp Frank Lojko stated the Fire Chief Steve Lewis wasn't able to be present due to the fire at New Harmony. Lojko had spoken to Fire Chief Lewis about the fireworks potential ban and stated that Lewis recommended that the Town of Leeds restrict to a designated area and time frame where fireworks would be able to be set off and that the Leeds Area Special Service District (LASSD) would be on hand to supervise and control any fire hazards. The LASSD would then proceed afterward with their fireworks display only if the conditions are favorable to do so. Lojko also stated that enforcement codes are in place that if anyone is caught shooting off fireworks not in the designated area and time frame can be charged with a Class B Misdemeanor with a fine up to three hundred (300.00) dollars. Citizen Penny Weston is asking the Town Council to move the area that the fireworks are shot off from due to the fireworks affecting her animals. The Town Council stated that they would like to find a compromise or other options that would work for everyone and recommended a meeting with Fire Chief Steve Lewis.
3. **Discussion on prioritizing general road projects –** Mayor Pro-Temp Frank Lojko stated that the road funds that the Town of Leeds receives are based on the measurements of the roads. The Council has approved road repairs in several areas; Part of Valley Road, part of Center Street, part of Silver Reef Road (around S curves), repairs due to pipes going under the roads and left depressions that need to be fixed, some asphalt work, some chip and seal, some different types of solvent to put on the road to protect its life expectancy, putting in some curbs in areas where people are driving onto property owner's yards. The Impact road fees designated to spend is seven thousand six hundred fifty-five dollars (7,655.00) and needs to be ear marked for projects. Lojko stated that if there is an area that needs repairs that they are not aware of to contact the Town Council. Town Engineer Russ Funk stated that through a series of meetings with Lojko that they were able to narrow the projects to meet the Town of Leeds budgets and went through the Leeds Road Maintenance Project 2011 which includes some of Silver Reef Road chip & seal with two (2) feet wide concrete edge protection, a turnaround pavement and speed bumps in the Oak Grove area and some intersections around town for Curbing with some paving. Council Member Joe Allen stated that on his property and his neighbors property to the south of him that there is a water drainage problem from the run off from Silver Reef Drive and pools in their front yards and would like to add this to the list for a project to mitigate the water somehow, if funds are available and with the approval of the town.

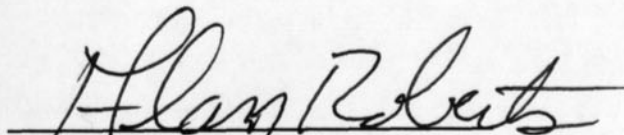
UPDATES BY STAFF:

4. None

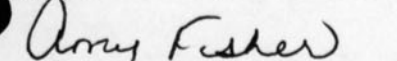
CLOSED MEETING - A closed meeting was not held.

5. Adjournment – A motion was made by Mayor Pro-Temp Frank Lojko with a second by Joe Allen to adjourn the meeting at 8:06 pm.

APPROVED ON THIS 11th DAY OF July, 2012.


Mayor, Alan Roberts

Attest:


Amy Fisher, Clerk / Recorder

JULY

PUBLIC NOTICE
TOWN OF LEEDS
PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, July 5, 2012 at 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA - CANCELED

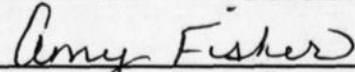
PLANNING COMMISSION REGULAR MEETING

THESE MEETINGS HAVE BEEN
CANCELED

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted June 4, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leadstown.org, and Spectrum Newspaper



Amy Fisher, Clerk / Recorder

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, July 11, 2012, 7:00 p.m.
And a work meeting at **6:00 p.m.**

At Leeds Town Hall, 218 North Main Street
Public is encouraged to attend

AGENDA

Work Meeting: 6:00 p.m.

1. Call to Order
2. Roll Call
3. Discussion of Final Development Plan for Grapevine, Exhibit J, Road Portion.

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of abstentions and conflicts by council members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from June 27, 2012 Town Council Meetings
6. Announcements: Presentation on New Burial Technology by Dale Ure
7. **Citizen Comment:** No action may be taken on a matter raised under this agenda item. This item is reserved for items not listed on this agenda. (Three minutes per person. Five minutes per spokesperson per group.)

REGULAR MEETING:

WORK SESSION:

DISCUSSION ITEMS:

1. Discussion of a public accessible computer for Town Hall
2. Discussion of Final Development Plan for Grapevine, Exhibit J, Road Portion.
3. Discussion on Grapevine Draft Development Agreement.

UPDATES BY STAFF:

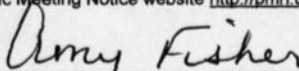
4.

CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c); or for the discussion of the purchase, exchange, or lease of real property, including any form of a water right or water shares; as allowed by Utah Code 52-4-205(1) (d).

5. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted July 9, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Amy Fisher, Clerk / Recorder

TOWN OF LEEDS TOWN COUNCIL MEETING

July 11, 2012, 7:00 p.m.
And a work meeting at 6:00 p.m.

MINUTES

Work Meeting: 6:00 p.m.

1. **Call to Order** – At 6:18 p.m. by Mayor Alan Roberts.
2. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Angela Rohr and Joe Allen, with Frank Lojko arriving at 7:09 p.m. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Attorney Heath Snow, and Town Engineer Rick Snyder of Sunrise Engineering, Grapevine Wash Representative Drake Howell, Grapevine Wash Engineer John Dorny, P.E. of Horrock's Engineering, and Deputy Clerk/Recorder Fran Rex. Also present were Town residents that filled the room.
3. **Discussion of Final Development Plan for Grapevine, Exhibit J, Road Portion** – Mayor Alan Roberts said in keeping with the Grapevine Wash (GVW) Annexation/Development Agreement, the GVW Development Plan review from the Town Council was a time sensitive issue after receiving recommendation from the Planning Commission. However, he noted that the applicant desired to waive the time deadline and to continue repeated discussions at the Town Council level even though it will take longer than the agreement stated. Mayor Roberts gave time to Town Contract Planner Bob Nicholson for a review. Nicholson referred to the conditions list sent forth from the Planning Commission, and the Ordinance 2011-03 passed by the Town Council on December 14, 2011, to allow mixed use developments to pursue and present different street designs that met National Street Standards for Leeds Town approval. He said that after much discussion, and the mitigation of Sunrise Engineering and Leeds Fire Departments concerns, ultimately the Planning Commission recommended approval with conditions. He reviewed the Planning Commission list of conditions and noted the Town Council had reviewed some of the conditions and concerns regarding traffic issues during the March 14, 2012 Town Council Meeting. He reminded that these topics were Design Speed and a "Y" Intersection. Sunrise Engineer Rick Snyder said he would prefer the angles of the "Y" intersection not be less than 90 degrees, to which GVW Representative Drake Howell they were willing to be flexible with the angles if they needed to be greater than 90 degrees, and the present design was one (1) 90 degree angle and two (2) 120 degree angles which were even safer than 90 degrees. Discussion was then had regarding the current feasibility study being conducted by the Washington County Rural Planning Organization (RPO) regarding the possibility of putting a road between Leeds and Toquerville. Attorney Snow suggested that language be added to the final development plan agreement to address the possibility of a road running through the GVW development from Leeds to Toquerville. He said the agreement should require a re-alignment of the "Y" Intersection to best handle any added traffic if an RPO road goes through GVW. Howell answered that GVW would be flexible with that idea. He then read from a staff report from the March 14, 2012 Town Council meeting which included the following recommendation from the Planning Commission. He read, *"Keep the prominent "Y" intersection at Grapevine's town core. Grapevine agrees to work collaboratively with the RPO in its feasibility study of a new transportation corridor between Leeds and Toquerville. If it is determined through the study that sufficient traffic may be generated along this corridor to exceed the capacity of the roadway, then GW will work with the RPO and Town in mitigating this intersection, if needed."* Howell then reiterated GVW would work to mitigate concerns and were comfortable with the attorney adding language to the draft final development plan. Council Member Joe Allen asked if the "Y" intersection was projected to handle all the traffic to build out, to which Howell stated the current "Y" intersection design projected would work for the projected number of GVW residences, and that the "flexibility" mentioned before only referenced that they were willing to be flexible and change it if a possible RPO road from Leeds to Toquerville went through GVW. Howell added that the current RPO feasibility study would help determine the number of projected trips. Horrock's Engineer John Dorny agreed and noted this was only if the expected growth in Toquerville warranted such a road. Mayor Roberts advised that land use applications would be made at every step of the planning. Council Member Angela Rohr noted

the recent fire in Leeds and the needed evacuation, and stated small roads would make evacuation harder. Howell stated the GVW roads were designed to be safe and noted there were no cul-de-sacs in the development, which was a safety design feature. Engineer John Dorny added that basic engineering does not design for "Christmas Time," "Fireworks," "Special Events" or "Mass Exodus's." He reiterated that the lack of cul-de-sacs does help with safety. Joe Allen asked if the roads would handle traffic such as 14 wheeler trucks and delivery trucks, to which Sunrise Engineer Snyder stated Sunrise originally had concern with these issues, but have hashed through the issues and worked them out. Horrock's Engineer Dorny noted that when he delivered in San Francisco there were designated routes for delivery trucks and reiterated that previous discussions have solved these concerns with Sunrise Engineering. Discussion was then had regarding the drivability of the smaller streets with different types of vehicles parked on the sides. Mr. Howell displayed pictures of these types of situations in a similar development in Northern Utah called Daybreak. It was noted that approximately 20% of the current real estate sales in northern Utah were in Daybreak. He displayed pictures exhibiting the following: a delivery truck on one side and small car on the other; a big truck with a travel trailer and a forerunner vehicle on the other; a jeep driving on the street with vehicles parked on both sides; and a Big Mac truck driving on the street; and different types of alley ways. He noted that narrow street designs calm traffic to drive slower, and when two vehicles were driving down a street with two big vehicles parked alongside, he would wait for one vehicle to pass through before entering the area of two big parked vehicles. Howell then displayed pictures of different styles of alley ways, apartments, three plexus, and single family homes. He noted the "double access" of alleys and front roads for fire safety. Planner Bob Nicholson asked what the narrowest streets in Daybreak were, to which Howell answered 27' feet and 32' feet which allows parking on both sides. Joe Allen asked what the narrowest streets in GVW were, to which Howell responded 22' feet plus curb and gutter. He noted the Fire Code was a 20 foot travel lane, and GVW was greater than 20 feet. Engineer Dorny. Mayor Roberts asked Engineer Snyder to tell what he was most concerned about, to which Snyder responded he was concerned regarding traffic enforcement and parking on both sides and noted GVW's mitigation plan would be that GVW Home Owners Association (HOA) would enforce the parking and place instructional signs. Howell concurred the HOA would place signs and enforce in places where parking needed to be enforced. Discussion on this ensued, and Attorney Snow suggested the agreement should add a clause so that GVW was contractually obligated to enforce parking issues, and require them to be bonded in case the Town had to become involved "at the Towns reasonable discretion." Discussion was further had regarding the needed size of streets for reasonable room of two way traffic with parking on two sides. Dorny stated the typical size was 11 to 12 feet. Howell then displayed the proposed designs of the eight to ten different types of thoroughfares. Council Member Frank Lojko arrived at 7:09 p.m. Joe Allen asked if the speed limit design should be reduced, to which Howell explained that GVW originally asked for 15 mph but compromised with the Planning Commission to design the street to 25 mph (at the lowest), but post them at 15 mph. Howell stated GVW was asking for a right of way on some of the sidewalks in the Main Street area to enable canopies or arcade fronts (like the Zion Factory Stores in St. George). He said they hoped to receive this approval and stated Attorney Snow had stated this could be okay with the following three conditions: 1) grant a public access easement; 2) GVW be responsible for maintenance; and 3) there would be no utilities in these areas. Attorney Snow also added 4) they must have proper clearance or height, and 5) if the HOA does not maintain it, the Town would do so and charge the HOA. Council Member Angela Rohr asked if the 14 foot full main street lane widths in exhibit J, table 9 were reduced to 13 feet in the amended agreement, Howell answered that the 2009 exhibits and Pattern Book has been tweaked through the Planning Commission process, and Snyder stated the final documents will only include all the things agreed upon throughout the process. Mayor Roberts said he made the assumption the applicant fully understands the need for a fully corrected final document for final review. It was further ascertained that the Main Street by the "Y" intersection was designed to be a partial Main Street. Roberts asked if there was sufficient room along Main Street to deal with small delivery trucks, to which Dorny answered the commercial area, was centrally located and deliveries would not occur on the street, but in the alley ways. Howell referred to a map and stated the salmon colored areas were set aside for parking. Rohr asked the size of lanes on the freeway, to which John Dorny responded that freeway lanes were never bigger than 12 feet, but one might see a 13 foot lane for a two way freeway at high speeds. Noting the 7:21 p.m. time, Mayor Roberts asked the Town Council Members if they were ready to wrap up the discussion. Rohr asked about water drainage, to which Howell responded the original idea was to request pervious surfaces, however, due to Planning Commission discussion and research proving pervious surface not conducive to dry windy climates, they have since amended their plan to add curb and gutters and on site storm drainage to accommodate rainfall. Mayor Roberts closed the meeting at 7:24 p.m. with a 5 minute break before the business session begins.

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

4. **Call to Order** – At 7:35 p.m. by Mayor Alan Roberts.
5. **Pledge of Allegiance** – Was led by Joe Allen
6. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Angela Rohr and Joe Allen, with Frank Lojko arriving at 7:09 p.m. Also in attendance were Leeds Contract Planner Bob Nicholson, Town Attorney Heath Snow, Town Engineer Rick Snyder of Sunrise Engineering, Grapevine Wash Representative Drake Howell, Grapevine Wash Engineer John Dorny of Horrock's Engineering, and Deputy Clerk/Recorder Fran Rex. Also present were approximately twenty four (24) public members.
7. **Declaration of abstentions and conflicts by council members** – None
8. **A Motion** was made by Frank Lojko with a **second** by Joe Allen to **Approve Tonight's Agenda including Minutes** of Town Council Meeting from **June 27, 2012**. An **Aye** vote was **Unanimous** from the four in attendance.
9. **Announcements:** Mayor Roberts advised of a recent Administrative Order. He said he had consulted with Town Council Members, Legal Staff, and the Fire Department. He noted it was important to not take away rights granted by State Legislature. He said the Order only allowed for fireworks in Leeds under the Fire District supervision at the Town Park on the 24th of July and three days before and three day after the 24th of July. Roberts also cautioned residents that persons were going around the Town trying to obtain information under the pretense of being a Census Worker. He stated there were no official Census Workers at this time and to be caution with giving out personal information.

Presentation on New Burial Technology by Dale Ure – Mr. Dale Ure noted that the current Leeds Ordinance requires concrete vaults at its cemeteries. He introduced a new technology of making vaults "or burial containers" from PVC. He said if the town were interested in using the PVC burial containers, it would need to add "PVC" to its ordinance after the word "fiberglass container." He then presented the idea of PVC burial containers. He said they cost 50% less than vaults; could be used as the actual coffin if desired; and require the removal of 40% less dirt, and comes in many sizes. He said one possible drawback is a "hunch" which is an air pocket created by placing a round container into a square hole. He said this could be mitigated by tamping down the dirt. He said St. George and the city of Forest Lawn in Northern Utah were pioneering the technology. He said PVC technology has been used for 40 years; was researched during World War II; has been used underground for 30 year; but as a burial container, it was a brand new concept. Mayor Roberts asked if the vault industry had any apprehension regarding this idea. Mr. Ure said this was a good money making venture for the vault business, and they were currently offering this as a new choice. He said the option was currently available. Mayor Roberts noted that the Town Council was currently compiling a new cemetery ordinance. He said in order to use this technology; verbiage would need to be incorporated to the draft.

10. Citizen Comment:

Harrisburg Citizen Annette Densely – said she was not currently acting for the Leeds Coalition for Responsible Land Use, but was acting for herself. She alleged that Drake Howell and Jared Westhoff were partners on a project in a Virgin Town Meeting and presented a photo of them sitting by each other at said meeting. She thought Westhoff should declare this as a conflict of interest. She also alleged some impropriety of staff dealing with recent GRAMA requests. She thought discussion of Grapevine Wash (GVW) should be tabled until the allegations were addressed. Mayor Roberts advised the human resource matters are handled in private.

Leeds Citizen Elliot Sheltman – asked if Drake Howell and Jared Westhoff were partners while Westhoff was Planning Commission Chair. To which Roberts responded that Jared Westhoff was not yet on the Planning Commission when the Planning Commission reviewed, amended, and recommended the GVW Final Development Plan draft to the Town Council. He stated that elected officials have a duty to disclose conflicts of interest. Sheltman then asked about the density of GVW, to which Roberts stated the GVW annexation agreement gives maximum number, but does not guarantee this number will be realized. Attorney Heath Snow added the maximum number would only be allowed if it could comply with all other ordinances, and noted mixed use zones do allow for a higher density. It was stated that Planner Andy Hayslip worked on a draft mixed use ordinance in 2007, and it was passed in 2008, and the Mike North Annexation was the first to come in under mixed use. Sheltman said he used to live in a high density area with alleys and a similar type of parking in California. He said his experience was cars did not slow

down and much crime occurred in alley ways. He said he wondered if the GVW HOA would work adequately.

Angell Springs resident Betty McKnight – said she was concerned about the following: 1) parking for visitors; 2) back door deliveries need loading entrance, and a business should have road and rear access for deliveries; 3) that a 25 foot road (like her own driveway) was quite narrow for two cars to pass; 4) that 1,200 units of proposed apartments was 50% of the possible number of building units in GVW; and noted 5) Daybreak's percentage of apartments was only 10%. She asked GVW to build a quality development with only one area of apartment and much space between the apartments and other residents. She asked the Town Council to lessen the number of apartment allowed to be built.

REGULAR MEETING:

WORK SESSION:

DISCUSSION ITEMS:

1. **Discussion of a public accessible computer for Town Hall** – Mayor Roberts turned time to Council Member Angela Rohr to head off the discussion. Rohr asked if someone desiring access to records not currently on the Town Website, if it was possible to move it from the Town computer onto a thumb drive to view it, and if the public could then print it off their own computer, to which Mayor Roberts said yes. Rohr said she recalled a discussion a year earlier about the possibility of making a computer available to the public. Council Member Joe Allen asked if this discussion was referring to GRAMA requests (Government Records And Management Act), to which Roberts responded affirmatively. He explained that all public documents are available to the public, and that the public can fill out a GRAMA request form in order to receive such. He added that Utah League of Cities and Towns Attorney David Church advised that most municipalities do not require every citizens to fill out a GRAMA request for simple requests, and that those docs can be acquired instantaneously. If the request is more lengthy, staff would be able to advise of the appropriate time it would take to retrieve the documents. It is up to the municipality. However, in light of recent events, Mayor Roberts said ALL Public will now be required to fill out a GRAMA request form for any request. He noted that during the past week a Sherriff was required to fill out a GRAMA request for desired documents. Roberts said the Sherriff said he had never had to fill out a GRAMA request before, but Roberts still felt it was important to initiate this policy so that all requests remain consistent. Joe Allen commented that having a public computer might aid in this process. Attorney Snow added that the Town of Leeds currently scans most documents to their computer, and the Town must allow public to inspect documents without having to make a copy. He thought the idea of a public computer was excellent, but noted a few cautions. Roberts reiterated that the Town is bound by law to allow public to inspect documents. Discussion was had on how best to provide public access but still maintain needed security. Attorney Snow added some documents are not public documents and such inspection is not required. He said a computer available for the public to search all public documents would need to include software and technical support in order to filter out the non-public documents. He said this would cost money. He then stated that a recent GRAMA request of documents requested by Attorney Marianne Sorensen for the Leeds Coalition for Responsible Land Use was enormous. Snow continued by explaining that GRAMA requests can require compensation for search and retrieval time after the first fifteen minutes. He advised that the current Leeds Fee Schedule listed that charge as \$20.00 per hour. He reiterated that the recent Coalition GRAMA request was huge and much time was spent by staff searching and organizing all the desired documents. Then the coalition only asked to retrieve a small portion of the documents. Mayor Roberts asked Angela Rohr how she would like to handle the idea of providing a computer. Rohr stated she would like to make the documents more accessible, and place more of them on the Town website. Citizen Ron Cundick asked if GRAMA requests were common, to which Attorney Snow said they were a common practice and were imposed by State Law. Roberts added that not all applicants request copies of the documents, but just want to review them. Rohr stated if something were easily retrieved within 15 minutes there was not a charge, and Roberts added if it did take longer than 15 minutes, the applicant was responsible for the cost. Attorney Snow suggested that a public computer only contain the documents requested, and then there would be no need for an expensive filter and/or program. Citizen Danielle Stirling asked who would be responsible for the public computer, to which Roberts said "whoever can respond" such as the clerk, deputy clerk, treasurer, or elected official. Council Member Joe Allen asked if emailing a document to an applicant would be possible, to which Roberts answered that the law states people need to be able to view documents at the building in which they are recorded. He noted that the public needed to go to the

specific entity where such documents are recorded in order to view them. Council Member Frank Lojko said Dixie College had expertise in setting up a computer with protections, and that he could bring more information to the next meeting regarding possible costs. He said this would help the Town more easily give public access to the public documents. Roberts said this was worth looking into.

2. **Discussion of Final Development Plan for Grapevine, Exhibit J, Road Portion** – Attorney Heath Snow noted this was not an action item and presented facts ascertaining it was not necessary to table this item, the discussion proceeded as follows: Mayor Alan Roberts asked the Town Engineer and Planner what their biggest concerns were regarding the interior roads of Grapevine Wash (GVW), then noted his own concern regarding GVW Home Owners Association (HOA) ability to enforce parking violations. GVW Representative Drake Howell acknowledged this was a valid concern; however, he noted that active HOA's, such as the current one in which he lives, aggressively enforce their codes by using a code enforcer. He said HOA's seemed to be a way which would work, and could even contract with the Town for service. He noted people could also call law enforcement, and was open to other ideas. Ideas such as residual, ongoing donations to the city for parking enforcement and how to handle visitors were discussed. Mayor Roberts then gave time for comment from Ron Cundick. Citizen Ron Cundick noted an HOA is only a contract between the HOA and the home owners, and did not include visitors. He said enforcing law is a municipality duty. Mayor Roberts agreed and said this was correct because roads are critical and was how we move around as human beings and municipalities. He also stated it was hard to use the analogy that because a problem may happen, that a Town should not allow something to happen at all. He said the Town should look at a project, any project, with the thought of "is this what we should be doing." Engineer Dorny asked what the specific concerns regarding the street size were. He asked if it was the desire to add one (1) or two (2) feet to the streets; or some of the specific cross sections; parking; or to add something to the fire lanes, or just what. Council Member Frank Lojko said it was not a matter of each road, or the idea of one or two feet. He then listed his perceived handicaps to the project as follows: 1) he did not know where the diamond interchange would be placed. He said if it went in where the current south bound interchange was, then all GVW would travel down Main Street, but if it was placed at or near the current north bound interchange it would be okay at build out. He said the decision of density would depend on where the interchange was built. 2) The ingress and egress into the development is a key factor. He thought it was best to make road decisions based on the minimum number of units GVW will be able to build rather than the maximum number of units. He thought it was premature to address if roads needed one or two more feet, when the questions of ingress and egress, and an interchange, whether there is support for apartments and business were not yet answered. Mr. Howell said he appreciated the broad concerns, but asked if the Council could spend a little more time discussing the parking element. He noted that most streets accommodated on-street parking better than most current streets in Leeds. He said there was a lane section where there was no on street parking; there would be some one-way residential/landscape ways; there would be no parking in fire lanes; and a possible concern of "bottle necking" in private alleys. He noted that the alleys were private and not public; therefore, the HOA would have the ability and responsibility to enforce parking rules in the alleys. Roberts agreed. He said fire lanes were public rights-of-way and no parking is allowed in fire lanes. He said signs and painted lines on streets such as the fire department uses to post for no parking. He said very few of the roads included the above mentioned concerns, and added that he hoped GVW would be treated uniformly as the other developments. Attorney Snow noted that because GVW is asking to vary street standard cross sections, it could not be treated as uniformly as other developments Engineer Dorny said one of the purposes of the development pattern book is to enable a development to propose varying street standard cross sections, and noted some proposals exceed the current standard. Then the proposals can be reviewed by the Town, and the project can make adjustments, and move on. He said the review of the proposals was where this project currently stood. Attorney Snow said he and Planner Bob Nicholson would expect that any proposed street cross section would comply with accepted standards, to which Engineer Dorny responded that they all comply with generally accepted standards. Engineer Snyder added that the T & D Traditional Neighborhood Development is a guideline and not a standard. He quoted the beginning pages warning about "*applying the guidelines to communities having the features of conventional suburban development such as lack of mixed use, lower density, and lack of pedestrian facilities can lead to problems as great as those that result from applying conventional streets guidelines to T&D neighborhoods. Users are also reminded that streets in a T&D are not intended to carry large volumes of through traffic. And that an adequate system of arterial roadways is necessary to serve higher volumes and long distance travel.*" He said working through this idea was what took so long with the Planning Commission. He said this kind of development is all or nothing. He said you have to take all of it in order for it to work together, or you

stick with traditional. He noted this puts Town leaders in a tough spot because we are out of the technical questions and into the questions of "is this right for Leeds. Mayor Roberts agreed. He noted the engineering on the national level show they are safe, but the Town needed to decide if this was what they really wanted to do. Lojko also noted the importance of the forgoing quote. He said if the interchange were in place, and the artery was going in and out of the area, Leeds could entertain modifying road standards, but since it was not in place, that maybe the Town needed to stick to current standards. And reiterated the placement of the possible diamond interchange would change the impact of the entire town. Engineer Dorny stated they were not deviating from national standards, because there are no "National Standards" and national standards refer back to local standards. He said mixed use developments on this scale recommend mixed use. He said he did not think the type of interior roads would make a difference with regards to where the interchange would be place. Lojko noted it did impact it because the more road space required, the lesser the density could be. Howell stated the annexation agreement has a cap on the density. He then gave a short presentation of why they were even asking for this. Referring to the quote read by Mr. Snyder, he stated that in order for their idea to succeed, it needed the elements they were asking for, for the character and such. He then stated they were not asking for modification on ingress and egress roads, but only a few types of inner thoroughfares. He said he thought the Town was protected because if a diamond interchange did not come to fruition, then the development would stop at a certain threshold. He reminded that they could not build over 100 homes if they could not establish a second access, nor could they build over a certain threshold if there was no diamond interchange because they have committed to keep the current Main Street width and character. He said he thought the Town was protected at various levels. He then stated that the proposed interior street designs were not much different as the current streets in Leeds. Dorny added that a diamond interchange would not be needed unless there was growth. And reiterated Main Street would not be widened, but only would need to be re-stripped after a certain amount of growth. He noted there was a huge time gap between now and the need for a new interchange. Lojko noted that because it would take a while for growth to warrant a diamond interchange, that in the meantime, traffic on Main Street would increase. He asked Howell what the developer could do to make a successful development with 100 units; to support the community; not ask for too many exceptions; and keep it simple so the public and Council is not confused. He cautioned to not make GVW a wedge in the town, and to not get "hung up" on insignificant things, but compromise and follow the Towns ordinances. Howell said GVW has worked with the Town for years, and were only trying to respond to questions and get specific with them. He displayed the Traffic Mitigation Plan that has been given to the Town, and read through and explained it (a copy is attached to the minutes). He reiterated that even though the 2011 Horrock's Engineering Traffic Study listed widening Main Street as an option when traffic reached a certain level, GVW listened to the Town and do not want to widen Main Street, but would support the Town in getting a new Interchange by contributing their portion of the funds it would have taken to widen Main Street and giving it to UDOT as a token funding match to raise a Leeds diamond interchange on UDOT's priority list. Howell continued reading from the traffic study. It was ascertained that the present "trips" on Main Street were approximately 1,700 per day, to which Planner Bob Nicholson recommended the Town Council to reconsider when it gets to the point of level "C" and analyze how it is working. Mayor Roberts added that because of the amount of time it may take to get to a level "c", it would be good to re-analyze at other times as well. Angell Springs citizen Betty McKnight said 10,500 trips down Main Street would change it from being rural. She cited that the mixed use ordinance said not to decrease any zone restriction more than 10%. She advised to stick to the standards with wider roads. She did not think this was much more expensive, but would be more congruent. She added the desire for lesser apartments. Citizen Danielle Stirling asked who had the final say on Main Street, to which Mayor Roberts said UDOT owned Main Street, but that the Town can have some say. She asked if UDOT would enforce an expansion, to which Engineer Snyder replied UDOT would do what the Town wanted, and noted that UDOT understands the current 2-way interchanges were not ideal and would like most to have a 4-way interchange and turn Main Street back over to the town of Leeds. Lojko agreed wholeheartedly and noted he had spoken with the UDOT Representative. He added that UDOT did not want to spend any more money on Main Street because it is their desire to turn it back to the Town. Rohr also added that UDOT's Representative Dana Myer said increasing the size of Main Street was not what the Town wanted and was not what UDOT wanted. Ms. Stirling then asked who would pay for the interchange, to which Roberts said the tax payers throughout the State of Utah would. Rohr noted that during the Towns recent meeting with UDOT, it was advised of how Cedar City received their new interchange. That if a municipality contributes a "token" amount to a project; it is an incentive for UDOT to move the project up on their schedule of priorities. Mr. Stirling asked who would decide the amount of the "token." To which Mr. Howell stated that at a minimum GVW would offer the same amount of the cost of its proportional share it would have taken to widen Main Street. This

estimated cost would be given to go towards an interchange token contribution. He noted that although the impact of GVW may be the "lion's share" of impact, that there were other developments which should also contribute their portion of impact on a percentage basis. Stirling asked if this was in the agreement. Attorney Snow suggested to state that the estimated amount should be made at the time the threshold was met so as to be consistent with current actual costs. Engineer John Dorny reiterated that the traffic study gave the option of 5 lanes on Main Street, but in lei of putting funds into widening Main Street, GVW would put those funds into furthering a diamond interchange. Further discussion was had on the Traffic Mitigation Plan and it was ascertained for Kevin Lee that the 3rd lane mentioned in the plan was a turning lane. In light of the recent Leeds fire, Ms. Stirling voiced her concern for fire safety and space for fire trucks, to which Mr. Howell stated all proposed roads were safe and fire compliant. Further discussion was had on the Traffic Mitigation Plan. After which Mayor Roberts said he would like to continue the discussion on the road ways in another meeting, and asked the Town Council if it was okay to table agenda item #3 until the next meeting as well. He addressed Drake Howell and said "you have heard from Frank Lojko and a number of citizens. He said the type of development looks towards wanting a walkable community. He noted he was not against this, nor did he think the Town was against a walkable community. Roberts then asked Howell to come back with a list of downfalls for GVW if they were required to utilize existing road standards.

3. **Discussion on Grapevine Draft Development Agreement – A Motion** was made by Frank Lojko with a **second** by Joe Allen to **Table** this agenda item until the **next Town Council Meeting**. An **Aye** vote was **Unanimous** from the four in attendance.

CLOSED MEETING – A Closed Meeting was held at 9:50 p.m. A **Motion** was made by Frank Lojko with a **second** by Joe Allen to **move into a Closed Meeting** for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a), and for the discussion of pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c). An **Aye** vote was **Unanimous**. Those present were Mayor Alan Roberts and Council Members, Joe Allen, Angela Rohr, Frank Lojko; Attorney Heath Snow and Deputy Clerk/Recorder Fran Rex. Discussion was had regarding allegations towards Deputy Clerk/Recorder Fran Rex, Treasurer Jean Beal, and Planning Commission Chair Jared Westhoff. A **Motion** was made by Frank Lojko with a **second** by Joe Allen to **close the Closed Meeting** at 11:05 p.m. An **Aye** vote was **Unanimous**.

In open meeting, a **Motion** was made by Mayor Roberts with a **second** by Frank Lojko to accept the administrative action that has been taken concerning the town staff. An **Aye** vote was given by Mayor Roberts, Frank Lojko, and Joe Allen. A **Nay** vote was given by Angela Rohr.

UPDATES BY STAFF:

4. Mayor Roberts asked if any of the Town Council Members would aid him in looking over applications for a new Public Works Director. He noted that George Fridell would be moving soon. Council Members Angela Rohr and Joe Allen both responded they would help
5. **Adjournment** by Frank Lojko 11:11p.m.

APPROVED ON THIS 25th DAY OF July, 2012.

Alan Roberts
Mayor Alan Roberts

Attest:

Amy Fisher
Leeds Clerk/Recorder Amy Fisher

*Note: these minutes were taken and prepared by Deputy Clerk/Recorder Fran Rex due to Clerk/Recorder Amy Fisher's emergency absence.

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, July 25, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street

AGENDA

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of abstentions and conflicts by council members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from July 11, 2012 Town Council Meetings
6. Announcements:
7. Citizen Comment: This item is reserved for items not listed on this agenda. (Three minutes per person. Five minutes per spokesperson per group.)

PUBLIC HEARING:

PUBLIC HEARING:

1. Introduction of proposed Ordinance 21012-04 Amended, Restated and Superseded of Chapter 21 (Subdivisions) of the Land Use Ordinance. Requiring the County Treasurers signature on final plats.
2. Public Hearing on Ordinance 21012-04 Amended, Restated and Superseded of Chapter 21 (Subdivisions) of the Land Use Ordinance. Requiring the County Treasurers signature on final plats.

REGULAR MEETING:

ACTION ITEMS:

3. Consider approval of proposed Ordinance 21012-04 Amended, Restated and Superseded of Chapter 21 (Subdivisions) of the Land Use Ordinance. Requiring the County Treasurers signature on final plats.

WORK SESSION:

DISCUSSION ITEMS:

4. Discussion of Leeds area Cemetery Draft Ordinance.
5. Discussion of Final Development Plan for Grapevine, Exhibit J, Planning Commission Recommendations.
6. Discussion of Grapevine Draft Traffic Mitigation Plan.
7. Discussion of Language of Grapevine Draft Final Development Agreement.

UPDATES BY STAFF:

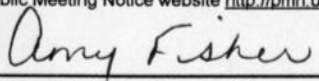
- 8.

CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c); or for the discussion of the purchase, exchange, or lease of real property, including any form of a water right or water shares; as allowed by Utah Code 52-4-205(1) (d).

9. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted July 23, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Amy Fisher, Clerk / Recorder

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, July 25, 2012, 7:00 p.m.

At Leeds Town Hall, 218 North Main Street

MINUTES

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. **Call to Order** – At 7:09 p.m. by Mayor Alan Roberts.
2. **Pledge of Allegiance** – Was led by Council Member Angela Rohr.
3. **Roll Call** – Present were Mayor Alan Roberts and Council Members, Frank Lojko, Angela Rohr, Nate Blake, and Joe Allen. Also in attendance were Leeds Contract Planner Bob Nicholson, Clerk/Recorder Amy Fisher, approximately 15 - 20 Town residents and Grapevine Wash Representative Drake Howell.
4. **Declaration of abstentions and conflicts by council members, if any** – None
5. **Consent Agenda:**
 - a. **Tonight's Agenda** - A **Motion** was made by Joe Allen with a **second** by Nate Blake to **Approve Tonight's Agenda** including Minutes of Town Council Meeting from July 11, 2012 with the changes that Angela Rohr has made in ink on her copy and gave to Clerk/Recorder Amy Fisher. An **Aye** vote was **Unanimous**.
6. **Announcements:** Mayor Roberts advised of a recent Administrative Order. He said he had consulted with Town Council Members, Legal Staff, and the Fire Department. He noted it was important to not take away rights granted by State Legislature. He said the Order only allowed for fireworks in Leeds under the Fire District supervision at the Town Park on the 24th of July and three days before and three days after the 24th of July. Mayor Roberts stated that next Tuesday at 10:00 a.m. at the town hall there is a meeting with Leeds, some federal and state officials to discuss re-vegetating the area that was burnt by the fire, including BLM and private property. Ron Whitmer stated that he would like to publically "Thank" LoAnne Barnes for helping organize the re-vegetation; to which Mayor Roberts agreed.
7. **Citizen Comment:** Mayor Roberts stated that the Town Council has bent over backwards on allowing Citizen Comments and has been extremely flexible with the amount of time and the issues that are brought up. He would like to remind everyone that if you have respect for the general public and you're elected or appointed officials and the agenda that they are governed by once they adopt it, that you would heed the language that is written on the agenda for Citizen Comments, but by no means does it discourage the public from having open discussions with their elected/appointed officials. There is a proper time for that and that the public should be very responsible of the proper time. If the general public or anyone in the general public cannot be disciplined enough to respect the rest of the general public that is here, you will be asked to leave.

Wayne Peterson –Having attended a few meetings about the long range changes, he would like to share with the council some thoughts that he had helping to resolve some disputes that he had dealt with in his career and just like to encourage everyone to realize that in 1962, we didn't know where we would be now in 2012 or where we will be in 2062 and that no one knows where technology is going to go or the changes for the future. Using wasted lighting is an example; we don't know what technology is going to bring going forward, but that we should make sure that everyone should benefit from that new technology that is going to develop as a result of any agreements made today and the future.

Betty McKnight – Handed out documents for the Town Council and used Coral Canyon as an example about how important it is to have a bond (letter from the bank) in place so the funding is available. Betty also brought up about the RPO Visibility Study on Babylon Road (900 North going between Howards and Savages) that is in the process right now and has concerns about the cost, cars using that road, and other issues, making it prudent or wise to wait until the study is finished before signing any agreements. Council Member Frank Lojko responded by stating that he and Mayor Roberts were at a meeting today with the Washington County Water Conservancy District and one of the topics was on the concern of the projected population growth for the county, which has bases of funding's for roads, water projects and other infrastructures in the county with other matching funds from the State and Federal based on demographics to which it showed that Summit County and Washington County would have a decrease of population growth. One of the water projects will cost one million dollars for the study, so for Babylon road to come through it will be very expensive and will be a hardship for the county and future road development if they hold us to the 2.6 growth rate rather than 6.5 growth rate. UDOT will prioritize the needs of the state according to the growth pattern, which may impact Leeds having a clover leaf or four way interchange. Mayor Roberts stated to let the feasibility study bring whatever it's going to bring and move on from there, wait until the study is complete; anything else would just be speculation.

Ron Whitmer – Stated that he was asked by the Stirling Family and others that have concerns about the development and future developments; in the hand out that Betty McKnight gave the Town Council; suggestion items to consider and look them over to see what will benefit the Town of Leeds. Ron stated his concern about Density, especially High Density.

PUBLIC HEARING:

PUBLIC HEARING:

1. **Introduction of proposed Ordinance 2012-04 Amended, Restated and Superceded of Chapter 21 (Subdivisions) of the Land Use Ordinance. Requiring the County Treasurers signature on final plats.** – Leeds Contract Planner Bob Nicholson read the background of the staff report and stated that it is just a protection for the potential buyer of the lots. A discussion was had by the Town Council as to whether to have another level of government added to this process and whether it would increase the time and cost of a developer or private citizen making application to purchase the lots; to which Mayor Roberts stated that he has talked with the County Commissioners and they stated that it would cut their time and help mitigate the process with no added cost. Council Member Angela Rohr brought up that the time between when the signature was on the plat and by the time that another buyer takes responsibility for it could be several years, to which Nicholson stated that at least when the plat is recorded everything is a clean record and then anything after that you would know who is responsible for the back taxes.
A **Motion** was made by Frank Lojko with a **second** by Angela Rohr to move into a Public Hearing on the discussion of proposed Ordinance 2012-04 Amended, Restated and Superceded of Chapter 21 (Subdivisions) of the Land Use Ordinance. An **Aye** vote was **Unanimous**.
2. **Public Hearing on Ordinance 2012-04 Amended, Restated and Superceded of Chapter 21 (Subdivisions) of the Land Use Ordinance. Requiring the County Treasurers signature on final plats.** – No public comments were made. A **Motion** was made by Frank Lojko with a **second** by Angela Rohr to close the Public Hearing on the discussion of proposed Ordinance 2012-04 Amended, Restated and Superceded of Chapter 21 (Subdivisions) of the Land Use Ordinance. An **Aye** vote was **Unanimous**.

REGULAR MEETING:

ACTION ITEMS:

3. **Consider approval of proposed Ordinance 2012-04 Amended, Restated and Superceded of Chapter 21 (Subdivisions) of the Land Use Ordinance.** - Requiring the County Treasurers signature on final plats. –
A **Motion** was made by Frank Lojko with a **second** by Angela Rohr to approve Ordinance 2012-04 Amended, Restated and Superceded of Chapter 21 (Subdivisions) of the Land Use Ordinance. An **Aye** was **Unanimous**.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR ALAN ROBERTS	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMAN JOE ALLEN	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMAN NATE BLAKE	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMAN FRANK LOJKO	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
COUNCILMAN ANGELA ROHR	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

WORK SESSION:

DISCUSSION ITEMS:

4. **Discussion of Leeds area Cemetery Draft Ordinance.** – Darrell Nelson has been working on the Draft Cemetery Ordinance and is looking for ideas and suggestions. A discussion ensued with the Town Council and Darrell Nelson with the Council asking questions about records that are currently required and what should be required. Council Member Joe Allen made the suggestions for more statistical records and that the Town of Leeds never opens a grave unless the instructions are in writing. The discussion whether to have a copy of the Death certificate is needed, since the County has the official documentation; also a discussion on plot size and how many interred or remains received per plot. Resident Allen Howard commented on how critical it is keep it to one vault per plot, as per his experience as having been the grave digger and the limited room in the cemetery. Suggestions for perpetual care were discussed. Darrell will work on streamlining the ordinance and bring it back before the Town Council.

5. **Discussion of Final Development Plan for Grapevine, Exhibit J, Planning Commission Recommendations.**
– Contract Planner Bob Nicholson read the staff report with the recommendations from the Planning Commission meeting held in February. Mayor Roberts stated that the Town Council will go through each item one at a time.
 - 1) Compliance with all Leeds Town codes, unless a specific waiver or variance is granted by the Town Council. - Agreeable by the Town Council
 - 2) All utilities, including water, wastewater, storm drainage, electric power, natural gas, telephone, and similar utilities shall comply with local and state standards. – Agreeable by the Town Council.
 - 3) Street designs which are different than those set forth in the Leeds Standard Specification for Design and Construction shall be approved by the Leeds Town Council, after hearing the recommendation from the Planning Commission and the Leeds Town consulting planner and engineer. – Mayor Roberts requested to hold this item for a future meeting to specifically address this item and come to a conclusion with where the Town Council will sit with the street standards.
 - 4) A Traffic Mitigation Plan shall be approved by the Town Council which sets forth how proposed traffic from project will be accommodated by the public streets. Three accesses are needed in order for the project to reach buildout. – Mayor Roberts stated that the next discussion item on the agenda addresses this item.
 - 5) Gravel parking areas are not permitted. All designated parking areas shall have a hard surface consisting of asphalt, concrete, brick pavers, or similar material approved by the Town Council. – Agreeable by the Town Council.
 - 6) All buildings shall comply with the design intent set forth in the Architectural Pattern Book for the Grapevine Wash project. All buildings which are three (3) stories or more in height shall be subject to design review by the Planning Commission prior to issuance of a building permit. The purpose of such design review is to promote compliance with the Architectural Pattern Book. - Change the verbiage to read: All buildings other than single family detached dwellings shall be subject to design review by the Planning Commission and deliver their recommendation to the Town Council for final decision prior to issuance of a building permit.
 - 7) Parking for residential units shall comply with section 6.4.3 of the Leeds Zoning Code, unless a modification to these parking requirements is specifically approved by the Town Council. – Agreeable by the Town Council.

- 8) Maintenance responsibility for public streets and utility systems shall be determined and approved as part of the Final Development Agreement for Grapevine Wash. – Mayor Roberts stated that there hasn't been any discussion on this item and that it will come up in the discussion on the Final Development Agreement that is on the agenda.
- 9) A second public street access is required when GW has 101 or more dwelling units, and a third public street access is required when 600 or more dwelling units have been issued building permits. – Mayor Roberts stated that these numbers come from the fire code, with the focus being on residential dwelling units.
- 10) GW shall create a project-wide master HOA with CC&R's which creates an Architectural Review Committee for the project. The ARC shall review plans before submittal to the Planning Commission and Town Council. – Agreeable by the Town Council.

6. **Discussion of Grapevine Draft Traffic Mitigation Plan.** – Contract Planner Bob Nicholson read the Draft Grapevine Traffic Mitigation Plan. A discussion was held regarding improvements, funding, vehicle cap per day, first come: first serve capacity, level of service, driveways, impact analysis and impact fees, for Main St. Mayor Roberts asked the Council Members if the Level of Service on Main St. is the main concern to deal with on the draft Traffic Mitigation Plan, to which the Town Council agreed. The Town Council had asked Bob Nicholson to bring some examples of Level of Service videos to be able to have a visual and better understanding.

7. **Discussion of Language of Grapevine Draft Final Development Agreement.** – A Motion was made by Frank Lojko with a **second** by Nate Blake to table Discussion item number seven (7) for the future Town Council meeting on August 8, 2012. An **Aye** vote was **Unanimous**.

UPDATES BY STAFF:

8. Council Member Angela Rohr stated that she had received nineteen (19) applications and that she added one (1) more. Of those applications, she narrowed them down to seven (7), which she talked to five (5) applicants and narrowed that number down to two (2) for an interview. Council Member Joe Allen concurred with Angela Rohr's findings. Mayor Roberts stated that they needed to have more discussion on this issue before any decisions are made.

CLOSED MEETING – A Closed Meeting was held at 10:08 p.m.

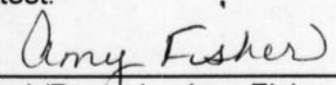
A Motion was made by Frank Lojko with a **second** by Joe Allen to **move into a Closed Meeting** for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c). An **Aye** vote was **Unanimous**. Those present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Frank Lojko, Angela Rohr, and Clerk/Recorder Amy Fisher. Discussion was had regarding a response to disciplinary measures taken against town staff personnel. A Motion was made by Joe Allen with a **second** by Nate Blake to **close the Closed Meeting** at 10:36 p.m. An **Aye** vote was **Unanimous**.

9. **Adjournment** by Frank Lojko at 10:40 p.m.

APPROVED ON THIS 22nd DAY OF August, 2011


 Mayor Alan Roberts

Attest:


 Clerk/Recorder Amy Fisher

AUG.

PUBLIC NOTICE
TOWN OF LEEDS
PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, August 1, 2012 at 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Commission Members, if any
5. Consent Agenda
 - Tonight's Agenda
 - Minutes of May 2, 2012 & June 6, 2012 Planning Commission Meeting.
6. Announcements

ACTION ITEMS

7. Amend Meeting Minutes from March, 7, 2012.

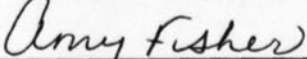
DISCUSSION ITEMS

8. Discussion on Possible Amendments on the Sign Ordinance.
9. Discussion on possible Draft Zoning Code Amendment regarding Regulations for Short Term Residential Rentals.
10. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted July 26, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, and Spectrum Newspaper



Amy Fisher, Clerk / Recorder

PUBLIC NOTICE
TOWN OF LEEDS
PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, August 1, 2012 at 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

MINUTES

1. **Call to Order** – by Chair Pro-temp Bill Lytle at 7:02 pm.
2. **Pledge of Allegiance** – was led by Alex Beal.
3. **Roll Call** – Present were Chair Pro-temp Bill Lytle, Commissioners Ray Beal, Alex Beal, Diane Burton, Leeds Contract Planner Bob Nicholson, Leeds Treasurer Jean Beal and approximately 10 – 15 citizens. Absent were Jared Westhoff.
4. **Declaration of Abstentions and Conflicts by Commission Members, if any** – None
5. **Consent Agenda**
 - **Tonight's Agenda** - A **Motion** was made by Commissioner Diane Burton with a **second** by Ray Beal to accept the tonight's agenda. An **Aye** vote was **Unanimous**.
 - **Minutes of May 2, 2012 & June 6, 2012 Planning Commission Meeting.** - A **Motion** was made by Commissioner Diane Burton with a **second** by Ray Beal to approve the meeting minutes from May 2, 2012 and June 6, 2012. An **Aye** vote was **Unanimous**.
6. **Announcements** – None

ACTION ITEMS

7. **Amend Meeting Minutes from March, 7, 2012** - A **Motion** was made by Commissioner Alex Beal with a **second** by Diane Burton to amend the minutes from the March 7, 2012 Planning Commission meeting with the spelling corrections of DVW to GVW on page 2 and the missed motions. An **Aye** vote was **Unanimous**.


DISCUSSION ITEMS

8. **Discussion on Possible Amendments on the Sign Ordinance** – Bob Nicholson read the Recommendation of the staff report. A discussion was held on the proposed changes including pole signs, wall signs, monument signs, construction signs, civic signs, real estate signs and political signs. A discussion was held on lighting of any sign and the Planning Commission decided to table this for the next meeting.

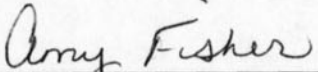
9. **Discussion on possible Draft Zoning Code Amendment regarding Regulations for Short Term Residential Rentals** – Bob Nicholson read the staff report and a discussion was held about the differences between Alternate 'A' and Alternate 'B' proposed amendments. The Planning Commission has agreed to set a Public Hearing for the Alternate 'A' and Alternate 'B' proposed amendments for September 5, 2012.

10. **Adjournment** by Alex Beal at 8:26 p.m.

APPROVED ON THE 5th DAY OF September, 2012.


Chair Jared Westhoff

Attest:


Clerk/Recorder, Amy Fisher



PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, August 8, 2012, 7:00 p.m.
And a work meeting at **6:00 p.m.**

At Leeds Town Hall, 218 North Main Street
Public is encouraged to attend

AGENDA

Work Meeting: 6:00 p.m.

1. Call to Order
2. Roll Call
3. Discussion of Language of Grapevine Draft Final Development Agreement.

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of abstentions and conflicts by council members, if any
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Minutes of Meetings from July 25, 2012 Town Council Meetings
6. Announcements:
7. **Citizen Comment:** No action may be taken on a matter raised under this agenda item. This item is reserved for items not listed on this agenda. (Three minutes per person. Five minutes per spokesperson per group.)

REGULAR MEETING:

DISCUSSION ITEMS:

- | | |
|---|------------|
| 8. Presentation for adopting Helicopter Ordinance by Nancy Williams. | 15 Minutes |
| 9. Presentation outlining ways to protect farming, agriculture and husbandry. | 15 Minutes |
| 10. Presentation pertaining to Tree City Requirements by Denise Allen | 15 Minutes |
| 11. Presentation of trail study from Silver Reef to Adams house. (Students/Form Tomorrow) | 20 Minutes |
| 12. Consider Grapevine Traffic Mitigation Plan. | |
| 13. Consider Grapevine road cross sections | |

ACTION ITEMS:

14. Consider Resolution (2012-05) adopting Five County Association of Governments Natural Hazard Mitigation Five Year Plan Update.

UPDATES BY STAFF:

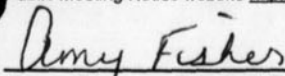
- 15.

CLOSED MEETING – A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c); or for the discussion of the purchase, exchange, or lease of real property, including any form of a water right or water shares; as allowed by Utah Code 52-4-205(1) (d).

16. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted August 6, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org.



Amy Fisher, Clerk / Recorder

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, August 8, 2012, 7:00 p.m.
And a work meeting at **6:00 p.m.**

At Leeds Town Hall, 218 North Main Street
Public is encouraged to attend

Minutes

Work Meeting: 6:00 p.m.

1. **Call to Order** - At 6:08 p.m. by Mayor Alan Roberts
2. **Roll Call** - Present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Frank Lojko arrived at 6:46 and Angela Rohr arrived at 7:01 p.m. Contract Planner Bob Nicholson, Clerk/Recorder Amy Fisher, approximately 3-5 citizens and Grapevine Wash Representative Drake Howell.
3. Discussion of Language of Grapevine Draft Final Development Agreement. - A discussion was held regarding the language for the Master Plan Book, the Mitigation Plan, Public infrastructure, Public infrastructure Utilities, Reimbursement Agreement, Impact Fee Credits, and payments in Lieu of Impact Fees.

BUSINESS SESSION:

Regular Meeting 7:00 p.m.

1. **Call to Order** - at 7:20 p.m. by Mayor Alan Roberts
2. **Pledge of Allegiance** – was led by Mayor Roberts
3. **Roll Call** – Present were Mayor Roberts, Council Members Frank Lojko, Angela Rohr, Nate Blake. Contract Planner Bob Nicholson, Contract Engineer Rick Snyder, Clerk/Recorder Amy Fisher, approximately 35 citizens and Grapevine Wash Representative Drake Howell.
4. **Declaration of abstentions and conflicts by council members, if any** – None
5. **Consent Agenda:**
 - a. Tonight's Agenda – A **Motion** was made by Joe Allen with a **second** by Nate Blake to approve tonight's agenda without the Meeting Minutes from July 25, 2012. An **Aye** was **Unanimous**.
6. **Announcements:** Mayor Roberts stated that the Washington County Fair started today and Leeds Princess MaCady Lewis was introduced to the general public by Jean Beal.
7. **Citizen Comment:** No citizen comments were made.

REGULAR MEETING:

DISCUSSION ITEMS:

8. **Presentation for adopting Helicopter Ordinance by Nancy Williams** – Nancy Williams address the Town Council about the helicopter issues that are happening in Hurricane and her experience dealing with this issue. Nancy submitted documentation to the Town Council about the Helicopter Study Report that has been done, along with a newspaper article from the Spectrum. Nancy is suggesting that the Town Council check into the possibly creating a helicopter ordinance to prevent what has happened in Hurricane.
9. **Presentation outlining ways to protect farming, agriculture and husbandry** – Tyce Palmer (Coordinator of the Utah Association of Conservation Districts) addressed the Town Council about the Agriculture Protection Area (APA) Law (Title 17, Chapter 41), which protects agriculture production lands from nuisance laws, serves as a notice to prospective land purchasers and developers that they are purchasing land next to a protect farming operation and protects land within an APA from zoning designations by political subdivisions unless all landowners within the APA provide written approval.
10. **Presentation pertaining to Tree City Requirements by Denise Allen** – Denise Allen (Representing Leeds Beautification Committee) addressed the Town Council about becoming a Tree City. Denise submitted documentation about the benefits of being a Tree City, like worldwide recognition, community project to get kids, families and people involved, possibility of having an Arbor Day that could coincide with Wild West Days and shade. Denise stated that the Forestry Service is will to come out to help develop this plan and make suggestions on what type of natural trees to plant for this area.
11. **Presentation of trail study from Silver Reef to Adams house. (Students/Form Tomorrow)** – A group of Students address the Town Council with a power point presentation on the trail study they have been working on. They talked about the geology, history and ecology that would be used to help construct the trails. They stated that the trails could be used by hikers, mountain bikers; horseback, ATVs and which trails would be open to which type of user. They presented a phone application that would be available to the user to tell them about the trail, habitat, directions, mapping, and a sign in; and a trail development phasing plan that could be implemented.
12. **Consider Grapevine Traffic Mitigation Plan** - Contract Planner Bob Nicholson read some of the Traffic Mitigation Plan and a discussion was held about the Level of Service of Main St. The Town Council discussed their concerns and possible issues to Bob Nicholson and Contract Engineer Rick Snyder and asked for their professional ideas, thoughts, and insights. The Town Council then made some recommendations for the Level of Service on Main St and asked that the Traffic Mitigation Plan be revised with these recommendations and brought back for the next meeting.
13. **Consider Grapevine road cross sections** – Mayor Roberts and the Town Council decided to table this discussion item for a future meeting. At which time, Grapevine Wash Representative Drake Howell respectfully requested that the Town Council hold a special meeting to discuss this item. The Town Council stated that they would, but did not set a date for the meeting at this time.

ACTION ITEMS:

14. Consider Resolution (2012-05) adopting Five County Association of Governments Natural Hazard Mitigation Five Year Plan Update. – A discussion was held about what the Natural Hazard Mitigation Plan all included and the Town Council decided to postpone approving this resolution until they have had more time to review the plan before making a final decision. A **Motion** was made by Angela Rohr and a **second** by Joe Allen to postpone the Five County Association of Governments Natural Hazard Mitigation Five Year Plan. An **Aye** was **Unanimous**.

UPDATES BY STAFF:

15. None

CLOSED MEETING – A Closed Meeting was held at 9:58 p.m.

A **Motion** was made by Angela Rohr with a **second** by Joe Allen to move into a Closed Meeting for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a); or for the discussion pending or reasonably imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c). An **Aye** vote was **Unanimous**. Those present were Mayor Alan Roberts and Council Members, Joe Allen, Nate Blake, Angela Rohr, and Clerk/Recorder Amy Fisher. Discussion was had regarding open positions for town staff personnel. A **Motion** was made by Joe Allen with a **second** by Angela Rohr to close the Closed Meeting and move back into a public meeting at 10:44 p.m. An **Aye** vote was **Unanimous**.

16. Adjournment - By Angela Rohr at 10:47 p.m.

APPROVED ON THIS 22nd DAY OF August, 2011

Alan Roberts
Mayor Alan Roberts

Attest:

Amy Fisher
Clerk/Recorder Amy Fisher

PUBLIC NOTICE

TOWN OF LEEDS TOWN COUNCIL SPECIAL WORK MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, August 15, 2012, 6:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is encouraged to attend

AGENDA

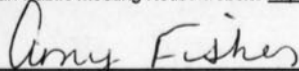
Work Meeting: 6:00 p.m.

1. Call to Order
2. Roll Call
3. Discussion of Language of Grapevine Draft Final Development Agreement.
4. Discussion of Road Cross Sections.
5. Discussion on Projects concerning impact fees.

6. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting: The undersigned Clerk/Recorder does hereby certify that the above notice was posted August 13, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org.



Amy Fisher, Clerk / Recorder

PUBLIC NOTICE

TOWN OF LEEDS

TOWN COUNCIL SPECIAL WORK MEETING

The Town Council of Leeds will hold a Meeting on
Wednesday, August 15, 2012, 6:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is encouraged to attend

MINUTES

Work Meeting: 6:00 p.m.

1. **Call to Order** - At 6:10 p.m. by Mayor Alan Roberts.
2. **Roll Call** - Present were Mayor Roberts, Council Members Nate Blake, Joe Allen and Angela Rohr. Also in attendance were Contract Planner Bob Nicholson, Contract Engineer Russ Funk, Grapevine Wash Representative Matt Ence, Clerk/Recorder Amy Fisher and approximately 15 citizens. Absent was Council Member Frank Lojko.
3. **Discussion of Language of Grapevine Draft Final Development Agreement** – The Town Council and Contract Planner Bob Nicholson along with Grapevine Wash Representative Matt Ence started the discussion on page 11 of the draft final development agreement. The concerns and possible issues included; payments in lieu of impact fees, authorization to develop, mixed use zoning, density transfers, community parks and trails, right of ways, impact fees, term of contract and termination upon sale to the public. The Town Council and Bob Nicholson suggested their recommendations on each item and will wait for the draft agreement to be revised and presented back to the council for future review.
4. **Discussion of Road Cross Sections** – Contract Engineer Russ Funk reviewed the road cross sections with the Town Council. Some of the concerns discussed were lack of on street parking on a Lane road, level of service and maximum Average Daily Trips (ADT) on these roadways. Russ Funk recommended to meet or exceed the street standards, to which the Town Council agreed. Russ will take the suggestions from the Town Council and work with Grapevine Wash to revise certain road cross sections.
5. **Discussion on Projects concerning impact fees** – This item was tabled due to the time.
6. **Adjournment** – by Angela Rohr at 9:55 p.m.

APPROVED ON THIS 22nd DAY OF August, 2011

Alan Roberts
Mayor Alan Roberts

Attest:

Amy Fisher
Clerk/Recorder Amy Fisher

SEPT.

PUBLIC NOTICE

TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, September 5, 2012 at 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

AGENDA

Up to two Planning Commission Members may participate in the meeting by telephone or video conferencing (Ord 2006-08)

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflicts by Commission Members, if any
5. Consent Agenda
 - Tonight's Agenda
 - Minutes of August 1, 2012 Planning Commission Meeting.
6. Announcements

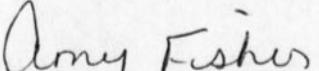
DISCUSSION ITEMS

7. Discussion on Possible Agriculture & Farming Protection Ordinance
8. Discussion on Possible Amendments on the Sign Ordinance.
9. Adjournment

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted August 30, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leadstown.org.



Amy Fisher, Clerk / Recorder

PUBLIC NOTICE

TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold their regular meeting on
Wednesday, September 5, 2012 at 7:00 p.m.

At Leeds Town Hall, 218 North Main Street
Public is welcome to attend

MINUTES

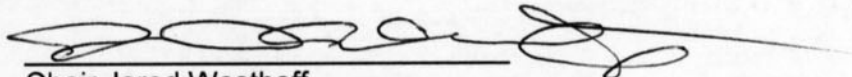
1. Call to Order – By Chair Jared Westhoff at 7:01 p.m.
2. Pledge of Allegiance – was led by Doug Erdmann
3. Roll Call – Present were Chair Jared Westhoff, Commissioners Doug Erdmann, Bill Lytle, Ray Beal, Leeds Contract Planner Bob Nicholson, Clerk/Recorder Amy Fisher and approximately 10-15 citizens. Absent was Commissioner Diane Burton.
4. Declaration of Abstentions and Conflicts by Commission Members, if any - None
5. Consent Agenda – A motion was made by Commissioner Bill Lytle with a second by Doug Erdmann to accept tonight's Consent Agenda and the Minutes of August 1, 2012. An Aye vote was Unanimous.
6. Announcements – Ron Whitmer stated that he was speaking on behalf of LoAnne Barnes; there will be a meeting on Monday, September 10, 2012 for the reseeding of East Mountain and any private land that has been affected and would be interested. It will be done by helicopter and will take place around mid-October.

DISCUSSION ITEMS

7. Discussion on Possible Agriculture & Farming Protection Ordinance – A presentation was given by **David Stirling** about the benefits of adopting an ordinance to protect Agriculture and Farming in the Town of Leeds, which protects agriculture production lands from nuisance laws, serves as a notice to prospective land purchasers and developers that they are purchasing land next to a protect farming operation and protects land within an APA from zoning designations by political subdivisions unless all landowners within the APA provide written approval.
Susan Savage spoke to the council about the program with the county that she participates in and how it works.
The Planning Commission then discussed that they would like to research and get more information for the possible Agriculture and Farming Ordinance, to which Chair Jared Westhoff made a motion with a second by Bill Lytle to table this item for the next meeting. An Aye vote was Unanimous.

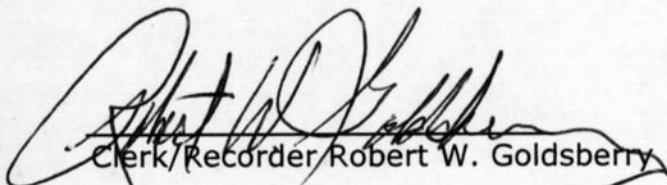
8. Discussion on Possible Amendments on the Sign Ordinance – Contract Planner Bob Nicholson read the Staff Report. The Planning Commission and Bob Nicholson then discussed the points that needed clarification; which included Construction signs, Civic signs, Real Estate signs, Political and Campaign signs, Wall signs, Pole signs, Monument Signs and Electronic Signs. The Planning Commission asked Bob Nicholson to help get information on the cost and process needed from UDOT for the directional or way finding signs that would possibly be on UDOT Right of Way. The Planning Commission decided to table this item until they can discuss the information from Bob Nicholson at the next meeting.
9. Adjournment – By Chair Jared Westhoff at 8:22 p.m.

APPROVED ON THE 7th DAY OF November, 2012.


Chair Jared Westhoff

Composed by: Clerk/Recorder, Amy Fisher

Attest:


Clerk/Recorder Robert W. Goldsberry



NOV.

NOVEMBER 7, 2012 MINUTES

REGULAR MEETING

Called to order by Chair, Jared Westhoff at 7:03 PM.

2. **The Pledge of Allegiance**

3. **Roll Call** -Jared Westhoff - Chair, Diane Burton, Ray Beal. Absent were Doug Erdmann and Bill Lytle.

4. No Declaration of Abstention and/or conflicts by Commission members

5. **Consent Agenda:** Tonight' Agenda

Approval of the Minutes of September 5, 2012 Planning Commission meeting

Motion to approve Consent Agenda was made by Diane B. Burton, and seconded by Ray Beal. Roll

Call Vote	Aye	Nay	Abstain	Absent
Jared Westhoff	xxx			
Ray Beal	xxx			
Diane B. Burton	xxx			
Bill Lytle				xxx
Doug Erdmann				xxx

Motion carried.

6. **Announcements:** Robert W. Goldsberry as Clerk/Recorder was introduced. Virginia Taylor is the deputy clerk/recorder.

DISCUSSION ITEMS

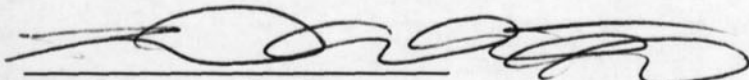
7. **AGRICULTURAL PROTECTION AREA:** The Planning Commission members discussed whether or not Leeds should adopt an ordinance to govern the Agricultural Protection Area's, or simply refer to the Utah Code (APA) (Utah Code Title 17, Chapter 41) via an application. They sort to find wording that fits within the Utah Code and County Board setup. Danielle Sterling volunteered to create an application that the Leeds Town Council could consider. No further action was taken.

8. **CHANGES TO SIGN CODE:** The proposed changes to the Leeds Town Sign Code were presented to the Planning Commission by the Town of Leeds consulting planner, Bob Nicholson. The main changes dealt with the way finding signs, the size, location, fees, and the ability to direct those who may not be familiar with Leeds to different sites.

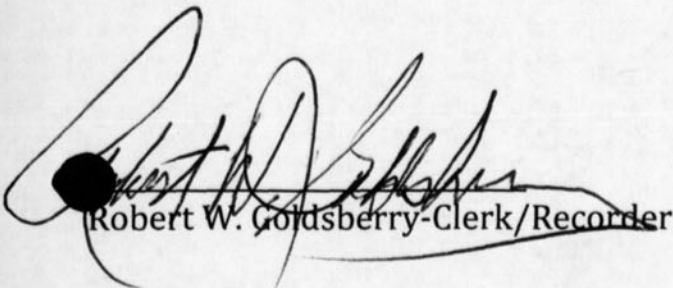
9. **Leeds Road Master Plan: Sunrise Engineering** proposal was discussed to assist in updating The Road Master Plan. Commission members worked to narrow the scope of work and further define requirements by gathering more information from property owners so as to save the town money and insure better mapping than the current Road Master Plan presently has.

10. **Adjournment:** Motion to Adjourn was by Ray Beal. Adjournment was at 8:55 PM.

APPROVED ON THIS 7 DAY OF Nov, 2013.



Jared Westhoff - Chair



Robert W. Goldsberry-Clerk/Recorder



DEC.

**LEEDS TOWN PLANNING COMMISSION MEETING AT 218 NORTH MAIN STREET,
LEEDS, UT 84746
DECEMBER 5, 2012 AT 7:00 PM
MINUTES**

Public Meeting

1. **Call to Order** at 7:10 PM by acting Chair Bill Lytle
2. **Pledge of Allegiance** by Ray Beal
3. **Roll Call:** Present were Planning Commission members Bill Lytle, and Ray Beal and Diane B. Burton. Also in attendance were clerk/recorder Robert W. Goldsberry, Bob Nicholson (Leeds town contract planner), and Sunrise Engineering Rick Snyder, Transportation Engineer for the firm. Absent was Doug Erdmann. . Jared Westhoff arrived at 7:20 PM.
4. Declaration of Abstentions and Conflicts by Commission Members, if any
5. Consent Agenda: A motion was made by Diane Burton; seconded by Ray Beal without including the Minutes November 7, 2012 Planning Commission Meeting.

<u>Roll Call Vote</u>	<u>Tonight's Agenda</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Chair—Jared Westhoff					xxx
Ray Beal		xxx			
Diane B. Burton		xxx			
Doug Erdmann					xxx
Bill Lytle		xxx			
Motion carried.					

6. Announcements: None

DISCUSSION ITEMS

Leeds Road Master Plan Workshop - looking for comments from landowners

Steve Lewis, the Leeds Fire Chief was concerned about street signs and addresses, especially High Desert Road. **Bob Nicholson** explained the maps and their legends. He also explained the lines on the maps. He then explained residential, arterial and collective roads.

Rick Snyder handed out 10 map packets and markers, and discussed the Land Use Plan and the Road Master Plan. The last Master Road Plan was in 2007. He also pointed out that revisions of maps are expensive.

Bill Lytle had the meeting attendees look at the maps. He stressed that they tell and write down suggestions and questions to Commission members and on the map for consideration so that the Commission can have more information in making revisions to the Road Master Plan.

Land Owners: Many landowners and citizens participated. They gave detailed comments on their preferences for road locations, identified topography issues, suggested alternate routes for needed ingresses and egress for parts of town, etc.

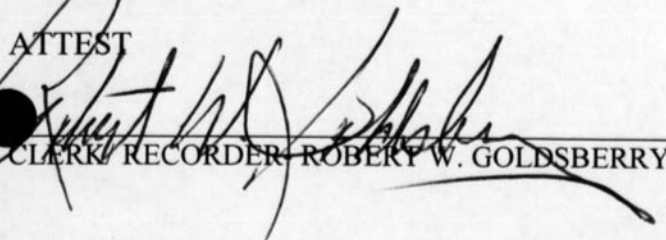
Jared Westhoff thanked the public for their input and outlined the steps needed to get the maps revised.

8. Adjournment was motioned by Jared Westhoff and seconded by Diane B. Burton at 8:29 PM.

APPROVED ON THIS 2 DAY OF Jan, 2013


CHAIR - JARED WESTOFF

ATTEST


CLERK/RECORDER ROBERT W. GOLDSBERRY

PUBLIC NOTICE

THE TOWN COUNCIL OF LEEDS

Public Meeting

Wednesday, December 12, 2012 at 7:00 PM

Location: Leeds Town Hall, 218 North Main Street, Leeds, UT 84746

PUBLIC IS WELCOME TO ATTEND

NOTE: IF YOU WISH TO SPEAK DURING CITIZEN COMMENT, PLEASE SIGN IN WITH THE CLERK/RECORDER BY 6:55 PM
Citizen Comment (No action may be taken on a matter raised under this agenda item).

AGENDA

REGULAR MEETING:

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Declaration of Abstentions and Conflicts** by Council Members, if any
5. **Consent Agenda:**
 - a. Tonight's Agenda
 - b. Minutes of the TC Meeting from November 2, 2012
 - c. Minutes of the TC Meeting from November 14, 2012
 - d. Minutes of the TC Meeting from November 28, 2012
6. **Announcements**
7. **Citizen Comments:** *Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed*

BUSINESS MEETING:

8. **ACTION ITEMS**
 - a. Discussion and possible approval of Ordinance 2012-05 regarding the 2013 Town Meeting Schedule
 - b. Possible approval of the Grapevine Wash Development Plan
9. **DISCUSSION ITEMS**

Discuss resolution to amend the Policy and Procedures for the Town of Leeds
10. **UPDATES BY STAFF**
11. **ADJOURNMENT**

CLOSED MEETING -- A closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonable imminent litigation; as allowed by Utah State Law (52-4-205)(1)(c)

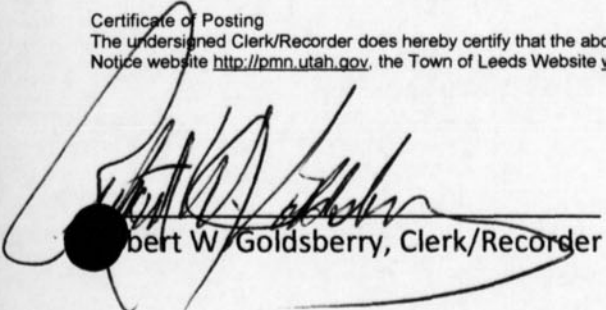
In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

In accordance with Federal law and U.S. Department of Agriculture policy, this Institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, familial status, sexual orientation, and reprisal. (Not all prohibited bases apply to all programs).

To file a complaint of discrimination write USDA, Assistant Secretary for Civil Rights Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, S.W., Stop 9410 Washington, DC 20250-9410 Or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted December 11, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org


Robert W. Goldsberry, Clerk/Recorder

Leeds Town Council Meeting Minutes

Town Council Meeting Minutes

December 12, 2012

1. Call to order

Mayor Roberts called to order the regular meeting of the Leeds Town Council at 7:10 p.m. on December 12, 2012 at Leeds Town Hall.

2. Roll call

The following persons were present: Council members Joe Allen, Nate Blake, Alan Roberts, Angela Rohr, and Frank Lojko. Legal counsel Heath Snow and contract planner Bob Nicholson.

3. Declaration of conflicts - None

4. Approval of consent agenda

Tonight's agenda, minutes from November 2, 2012; November 14, 2012; November 28, 2012; and November 28, 2012.

Motion made by Joe Allen to **"approve tonight's consent agenda."**

Seconded by Nate Blake

5 AYES 0 NAYS Motion **PASSED**

5. Announcements - Angela Rohr reminded the public of an RTEC mtg. to be held at Town Hall on Thursday, Dec. 13th at 3:00 p.m.

6. Public Hearings- None

7. Action Items

- a. Item 8 a; consider Ordinance 2012-05 establishing the 2013 Town meeting schedule. There was no council discussion on the matter.

Motion by Joe Allen to **"approve Ordinance 2012-05 establishing the 2013 Town meeting schedule."**

Seconded by Angela Rohr.

5 AYES 0 NAYS Motion **PASSED**

- b. Item 8 b; consider Grapevine Wash Final Development Plan. Mayor noted that the current language contains a number of recommendations made by certain citizens and council members. Heath Snow (legal counsel) summarized the changes that

Leeds Town Council Meeting Minutes

were made since the Nov. 14th draft of the Grapevine Wash Development Agreement. He read each change independently. Joe Allen expressed his appreciation for the involvement from select individuals from the community. After Heath read the changes, there were some public concerns relating to the recorded acreage of the development and concerns about the impacts on Main Street. Council member Joe Allen made a motion for approval of the development plan and then withdrew the motion. The applicant's legal representative, Matt Ence, inquired for clarification of the effect that an approval tonight would have on the results from the Nov. 14th motion on the development plan? Heath Snow clarified that the motion on Nov. 14th resulted in a failure to pass the development agreement before the council on that date. The media had implied that the Town had denied the entire development which was not correct. A number of the public expressed their concerns of a difference in overall acreage and availability of documents for view. Joe reminded the public of the available documents that have been in Town Hall for view and the input from the public for changes in the agreement. The public requested the opportunity to view the documents with the written changes that had been read by Heath Snow, before the Council takes any action. Council agreed to postpone the action to allow the public some time to view the documents.

Motion by Nate Blake to "table action on Grapevine Wash Final Development Plan until January 9, 2013 Town Council meeting."

Seconded by Angela Rohr

2 AYES 3 NAYS Motion **FAILS**

Motion by Joe Allen to "table possible approval of the Grapevine Wash Final Development Plan until we reconvene at a special meeting on December 18, 2012 at 7:00 p.m."

Seconded by Frank Lojko

4 AYES 1 NAY Motion **PASSED**

8. Discussion Items

- a. Resolution to amend the Leeds Town Policies and Procedures. Mayor presented a draft with some changes to the current document. He asked the council to spend some time over the next month to review and suggest any changes. This item will be discussed more in future meetings.
- b. Angela expressed concerns of upcoming time limits on some of the collected impact fees. She would have some action concerning these at the next council meeting.

Leeds Town Council Meeting Minutes

9. Staff Updates

Angela explained some of the upcoming expenditures for wood chips and playground components at the Town Park.

10. Adjournment

Mayor Roberts adjourned the meeting at 8:42 p.m.

APPROVED ON THIS 9TH DAY OF JANUARY, 2013

Alan Roberts

Alan Roberts, Mayor

ATTEST:


Robert W. Goldsberry, Clerk/Recorder

Leeds Town Council Meeting Minutes

Town Council Special Meeting Minutes

December 12, 2012

1. Call to order

Mayor Roberts called to order a special meeting of the Leeds Town Council at 5:40 p.m. on December 12, 2012 at Leeds Town Hall.

2. Roll call

The following persons were present: Frank Lojko, Angela Rohr, Alan Roberts, Nate Blake, and Joe Allen. Legal counsel; Heath Snow and contract planner; Bob Nicholson.

3. Business

Motion by Joe Allen to "enter into a closed meeting or the purposes to discuss reasonable and imminent litigation."

Seconded by Nate Blake

5 ayes 0 nays Motion **PASSED**

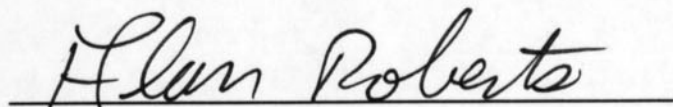
The general public were excused from the room and council entered into a closed meeting at 5:45 p.m.

Town council entered into public meeting at 7:03 p.m.

4. Adjournment

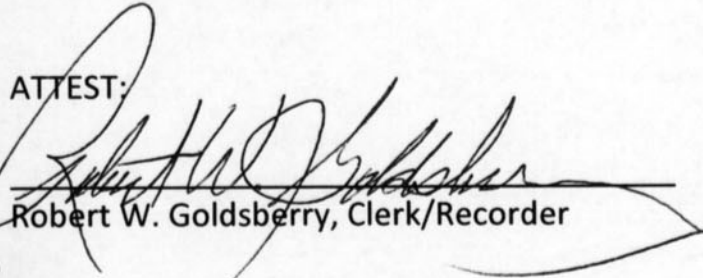
Mayor Roberts adjourned the meeting at 7:05 p.m.

APPROVED ON THIS 9TH DAY OF JANUARY, 2013



Alan Roberts, Mayor

ATTEST:


Robert W. Goldsberry, Clerk/Recorder

PUBLIC NOTICE
TOWN OF LEEDS
TOWN COUNCIL PUBLIC MEETING
(Consisting of a Closed Meeting)

Wednesday, December 12, 2012 at 5:30 PM

Location: Leeds Town Hall, 218 North Main Street, Leeds, UT 84746

AGENDA

1. **Roll Call**
2. Enter Closed Meeting: (public will be dismissed during this item.)
3. Closed Meeting: Strategy sessions to discuss pending or reasonable imminent litigation; as allowed by Utah State Law (52-4-205) (1) (c)
4. Return to Public Meeting
5. Adjournment

CLOSED MEETING -- A closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR A Closed Meeting may be held for the discussion pending or reasonable imminent litigation; as allowed by Utah State Law (52-4-205)(1)(c)

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Hall at 879-2447 at least 24 hours prior to the meeting.

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Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted December 11, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org


Robert W. Goldsberry, Clerk/Recorder

Leeds Town Council Meeting Minutes

Town Council Closed Meeting Minutes

December 12, 2012

1. Call to order

Mayor Roberts called to order a special meeting of the Leeds Town Council at 5:45 p.m. on December 12, 2012 at Leeds Town Hall.

2. Roll call

The following persons were present: Frank Lojko, Angela Rohr, Alan Roberts, Nate Blake, and Joe Allen. Legal counsel; Heath Snow and contract planner; Bob Nicholson.

3. Discussion

Discussion concerning legal documents served with by Grapevine Wash Development. Discussed strategies concerning Grapevine Wash development agreement. Considered the best course of action to present in an open public meeting relating to Grapevine Wash Final Development Plan.

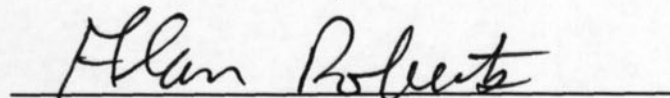
Frank Lojko- **"Move to exit closed meeting and return into a public meeting."**

Seconded by Joe Allen.

5 AYES 0 NAYS Motion **PASSED**

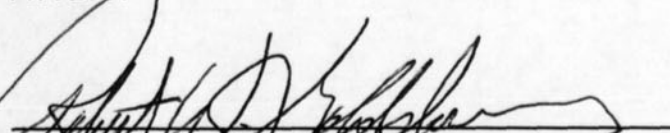
Town council returned into public meeting at 7:03 p.m.

APPROVED ON THIS 9TH DAY OF JANUARY, 2013



Alan Roberts, Mayor

ATTEST:



Robert W. Goldsberry, Clerk/Recorder

PUBLIC NOTICE

TOWN COUNCIL SPECIAL PUBLIC MEETING

At Leeds Town Hall, 218 North Main Street, Leeds UT (435) 879-2447
TUESDAY, DECEMBER 18, 2012 AT 7:00 PM

AGENDA

REGULAR MEETING

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Abstentions and Conflict by council member, if any
5. Agenda:

BUSINESS SECTION

Action Items:

6. Possible approval of the Grapevine Wash Final Development Plan
7. Expenditures of Park Impact Funds

UPDATE BY STAFF:

Council Member Joe AllenTreasurer, Historical

Council Member Angela Rohr.....Parks, Historical

Council Member Nate Blake..... Roads, Public Works

Council Member Frank Lojko..... Roads, Public Works

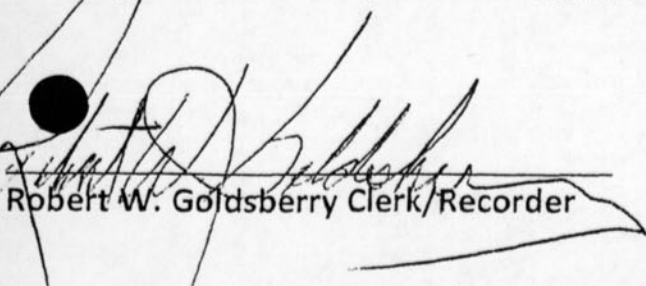
ADJOURNMENT

CLOSED MEETING—A Closed Meeting may be held for the discussion of the character, professional competence, or physical or mental health of an individual as allowed by Utah State Law 52-4-205(1)(a). OR a Closed Meeting may be held for the discussion of pending or reasonable imminent litigation; as allowed by Utah State Law (52-4-205)(1)(c)

In compliance with the Americans with Disabilities Act, The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the town Hall at 435- 879-2447 at least 24 hours prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted December 17, 2012. These public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds website www.leedstown.org


Robert W. Goldsberry Clerk/Recorder

Leeds Town Council Meeting Minutes

Town Council Special Meeting Minutes

December 18, 2012

1. Call to order

Alan Roberts, Mayor called to order the regular meeting of the Lees Town Council at 7:08 p.m. on December 18, 2012 at Leeds Town Hall(218 N Main).

2. Roll call

The following persons were present: Frank Lojko, Angela Rohr, Alan Roberts, Nate Blake, and Joe Allen. Also attending were Heath Snow (legal counsel) and Bob Nicholson (contract planner).

3. Declaration of conflicts- None

4. Approval of agenda

Motion made by Joe Allen to "approve tonight's agenda with the changes of switching items #2 and #3 with each other and switching items #6 and #7 with each other."

Seconded by Alan Roberts

5 ayes 0 nays Motion **PASSED**

5. Announcements- Mayor announced an opening for a Deputy Clerk/Recorder position. Applications were being received through Division of Workforce Services.

6. Public hearings- None

7. Action items

- a) Item # 6, expenditures of park impact funds. Angela informed the Council of some park impact fees that were soon to expire and desired to encumber some of the monies in table purchases for the town parks. LoAnne Barnes commented some concerns with the CCC Camp. Angela replied to her concerns and informed LoAnne of the decision of the Council not to incorporate the CCC Camp as a town park. Therefore park impact funds could not be used there.

Motion made by Angela Rohr to "allocate \$2600.00 of park impact funds to purchase tables for the town parks."

Seconded by Frank Lojko

Frank Lojko-AYE Angela Rohr-AYE Alan Roberts-AYE Nate Blake-AYE Joe Allen-AYE

Motion **PASSED**

Leeds Town Council Meeting Minutes

b) Item #7, consider Grapevine Wash Final Development Plan with pen and ink changes from the December 12, 2012 Town Council meeting. Mayor Roberts explained the posting of the documents on the town's website and the documents available in Town hall for public view. Heath Snow (legal counsel) explained to the Council concerning the two different numbers relating to maximum residential units. Heath was comfortable with the change from 2500 to 2397 total ERU's. Joe inquired about any possible "eminent domain" that may affect adjacent properties. Heath explained the language in the agreement that the developer will work with the Town on any access requirements and it did not force the town to consider any "takings". Frank Lojko had 5 members from the public that had approached him with concerns. Most had been answered with Heath's explanations. Some were concerned with the overall width of the primary right of way access. Heath reminded the Council that the primary access road is in the county. The 66 feet wide language in the development agreement came from Leeds standards. Heath made it clear that Leeds is not trying to direct County standards. Heath had adjusted the exhibits showing individual village densities to be consistent with the adjusted overall density of the project. Angela expressed her thanks to the citizens and wanted the public to know that other concerns would be addressed with any future application process. Town Council does not support any takings of adjacent properties. Hopefully we will still see some of your faces after tonight's action.

Motion by Joe Allen that the Town council "approve the Grapevine Wash Final Development Plan as it is currently written with the pen and ink change to section 10.2, modifying the units from 2500 to 2397 and grant the mayor the authority to execute said document."

Seconded by Frank Lojko

Joe Allen-AYE Nate Blake-NAY Alan Roberts-AYE Angela Rohr-AYE Frank Lojko-AYE

Motion **PASSED**

Matt Ence (legal representative for Grapevine Wash) read a statement to the Town Council. The document that Matt read is included as part of these minutes.

Leeds Town Council Meeting Minutes

SNOW JENSEN & REECE

A PROFESSIONAL LAW CORPORATION

V. LOWRY SNOW
CURTIS M JENSEN
LEWIS P. REECE
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OFFICES IN ST. GEORGE, CEDAR CITY AND KANAB

*Licensed in Utah and Nevada

†Licensed in Utah and Arizona

December 18, 2012

Via Hand Delivery

To the Mayor and Town Council
Town of Leeds
218 N. Main Street
Leeds, UT 84746

Re: GRAPEVINE MASTER-PLANNED COMMUNITY DEVELOPMENT AGREEMENT
STATEMENT FOR THE RECORD, TOWN COUNCIL SPECIAL MEETING, DEC. 18, 2012

Mayor Roberts and Council Members:

I am submitting this letter on behalf of the several owners of property comprising the Grapevine Master-planned Community. Please incorporate this letter as an attachment to and part of the minutes of the Special Meeting of the Town Council today at 7:00 pm.

The Annexation and Development Agreement between the Town of Leeds and the owners of the Grapevine property (the "owners") sets forth certain obligations of the Town and the owners, and grants vested rights to the owners in the MXD zoning ordinance, the uses permitted therein, and a project density of 2,500 residential units.

As the record before the Town council indicates, the owners have complied with the requirements of the Annexation Agreement and have followed the procedures set forth for review and approval of a proposed Development Agreement in a form acceptable to the owners.

On May 31, 2011, the owners made application for final development plan approval and submitted additional information required by Exhibit J of the Annexation Agreement. Since that time, many, many meetings and discussions have been held between the owners' representatives, the Town attorney, Town staff, planning commission, and Town council, including multiple public meetings.

On February 15th of this year, the owners obtained the recommendation of the Planning Commission that the Town council approve the Development Plan in the form presented to the Commission.

Leeds Town Council Meeting Minutes

Town of Leeds
Mayor and Town Council Members
December 18, 2012
Page 2

In response to nearly every concern or request of the Town council, attorney and staff, the owners have further consented to modification of the Development Plan and Development Agreement to address the reasonable concerns of the Town, and offered significant concessions and compromises.

Prior to the Town council's consideration of the proposed Development Agreement on Oct. 24th of this year, the Town's staff reported, "The planning documents (i.e., Development Agreement, and Development Plan, etc.) appear complete and in order. The proposed plan meets the requirements of the MXD Zone."

Notwithstanding the recommendations of planning commission and Town staff, as well as the compromise and concessions offered by the owners regarding overall residential density, and despite the fact that the Development Agreement was then in a form acceptable to the owners, the Town council tabled the proposed Development Agreement on Oct. 24, and has continued to table it until today, nearly sixty (60) days later.

On November 14th, the Town council considered and did not approve a form of the Development Agreement that incorporated additional changes that the owners had not agreed to. The Development Agreement was not acceptable to the owners primarily because it unilaterally reduced residential density below the compromise number offered by the owners, in violation of the Annexation Agreement and against the owners' wishes.

On December 12th, immediately following a closed meeting, the Town council took up a revised version of the Development Agreement, again containing incorporating unilateral changes which the owners did not have an opportunity to consider and to which they could not respond. These changes included, but were not limited to:

- A unilateral change requiring a sixty-six foot (66') right of way for the primary road access to the development as a pre-condition to the effectiveness of the Development Agreement, unsupported by any of the traffic and transportation studies undertaken by the owners or any legal requirement or findings of the Town council; and
- The elimination of modified height, size and other standards contemplated by the Annexation Agreement, permitted by the MDX Zoning Ordinance, and previously approved by planning commission and staff.
- The unilateral reduction of the term of the Development Agreement in disregard of the reasonably anticipated development timeline and multiple reasonable compromise proposals by the owners.

Now, on December 18th, the Town council has approved the Development Agreement with these unilateral changes and in a form that the Town council knows violates the terms of the Annexation Agreement and is not acceptable to the owners.

Leeds Town Council Meeting Minutes

Town of Leeds
Mayor and Town Council Members
December 18, 2012
Page 3

By approving the modified form of the Development Agreement, the Town council has limited the vested rights of the owners granted pursuant to the Annexation Agreement, and in violation thereof. The record indicates that the version of the Development Agreement presented to the Town council on November 14th was in compliance with the Annexation and Development Agreement and the MXD Zoning Ordinance. As such, there is no basis for the Town council to impose any additional density reductions.

More specifically, the Town council has not shown and cannot show that its reduction of residential unit density was "found necessary...based on particular attributes of the Property...as determined by studies" (Annexation Agreement, Sec. 4.a.), required by Exhibit J of the Annexation Agreement. Rather, the Town council has used an incorrect application of average unit density to justify its unilateral reduction of density from 2500 units approved in the Annexation Agreement, to 1403 residential units. The Annexation Agreement clearly contemplated development of all 2500 units in villages located within the owners' property, with no density applied to BLM property—it did not contemplate an average density applied uniformly across both private and BLM property. The Town council's actions, therefore, violate the Annexation Agreement and do not meet the prerequisites stated for properly limiting the project's density.

The Town council has also repeatedly shown that it is willing to take these actions without a single finding on the record in support of its actions based upon the health, safety and welfare of the public. In taking these actions, the Town council has disregarded the requirements of the Annexation Agreement in favor of responding to public clamor, and at the owners' expense.

Additionally, and as noted, the Town council has unilaterally added a sixty-six foot (66') access road requirement to the Development Agreement as a pre-condition to the effectiveness of the entire agreement. This is an unreasonable and unfounded requirement which ignores reasonable development phasing and is the equivalent of a total bar on development of the owners' property. The Town council has adopted this requirement with full knowledge that it would have this effect.

Yet, knowing that litigation was threatened if the Town did not take some action, the council has approved the Development Agreement with these, and other, unacceptable and unreasonable requirements.

Unfortunately, the intent of the council's action is evident as an attempt to prevent the project as envisioned in, and approved under, the Annexation Agreement as well as to inoculate the Town against imminent litigation. It is equally clear that Town council's intent was not to establish reasonable conditions of development consistent with provisions of the Annexation Agreement.

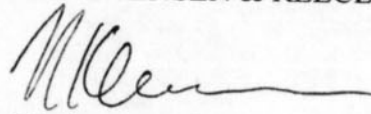
Leeds Town Council Meeting Minutes

Town of Leeds
Mayor and Town Council Members
December 18, 2012
Page 4

The owners are therefore left with no choice but to consider seeking relief through the courts.

Respectfully,

SNOW JENSEN & REECE



Matthew J. Ence

MJE/mje

cc: Grapevine Master-planned Community Owners Group

Leeds Town Council Meeting Minutes

8. Discussion items-None

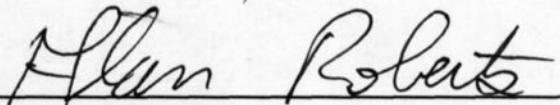
9. Citizen comments- citizens that commented were not following agenda rules. There comments were about items on the agenda. None recorded.

10. Staff updates- None

11. Adjournment

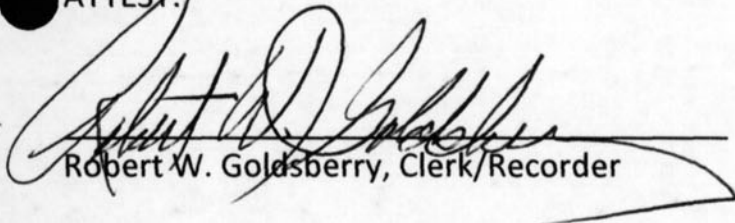
Alan Roberts, Mayor adjourned the meeting at 8:00 p.m.

APPROVED ON THIS 9TH DAY OF JANUARY, 2013



Alan Roberts, Mayor

ATTEST:



Robert W. Goldsberry, Clerk/Recorder